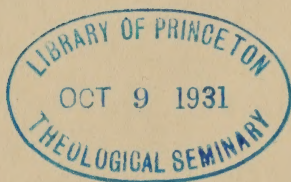


ALCOHOL INFORMATION COMMITTEE

PROHIBITION
AND
COMMONSENSE

EARL L. DOUGLASS



Division HV5089

Section .D73

PROHIBITION
AND
COMMONSENSE

THE ALCOHOL INFORMATION COMMITTEE

(EDUCATIONAL, NON-SECTARIAN, NON-POLITICAL)

PURPOSE:

TO PROMOTE, SPONSOR, AND DISTRIBUTE INFORMATION ON PROBLEMS
CONCERNING BEVERAGE ALCOHOL AND THE WORKING
OF THE EIGHTEENTH AMENDMENT.

THOMAS NIXON CARVER, *President*
IRVING FISHER, *Chairman of the Board*
ROBERT E. CORRADINI, *Executive Secretary*

Publications:

1. PROHIBITION AT ITS WORST.

By IRVING FISHER.

1927. 255 pages. \$1.75.

2. PROHIBITION STILL AT ITS WORST.

By IRVING FISHER and H. B. BROUGHAM.

1928. 385 pages. \$1.50.

3. THE "NOBLE EXPERIMENT."

By IRVING FISHER and H. B. BROUGHAM.

1930. 536 pages. \$2.00.

4. WHEN THE BREWER HAD THE STRANGLEHOLD.

By ERNEST GORDON.

1930. 276 pages. \$1.50, cloth; 75c, paper.

5. WHEN ALL DRANK AND THEREAFTER.

By CONRAD H. MOEHLMAN.

1930. 160 pages. \$1.50.

6. PROHIBITION AND COMMONSENSE.

By EARL L. DOUGLASS.

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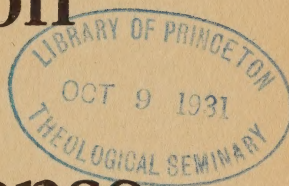
THE EIGHTEENTH AMENDMENT IS VALID

By JESSE F. ORTON.

SWEDISH AND EUROPEAN LIQUOR CONTROL.

CANADIAN LIQUOR CONTROL.

Prohibition and Commonsense



By
EARL L. DOUGLASS

ALCOHOL INFORMATION COMMITTEE
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TO MY MOTHER

"PROHIBITION AND COMMON-
SENSE" IS PUBLISHED UNDER
THE AUSPICES OF THE "ALCOHOL
INFORMATION COMMITTEE," FORMED
FOR THE PURPOSE OF PROMOTING
THE DISTRIBUTION OF INFORMATION
ON THE ALCOHOL QUESTION AND THE
WORKING OF THE EIGHTEENTH
AMENDMENT.

WHILE THE COMMITTEE IS ORGAN-
IZED FOR THE PROMOTION OF SUCH
LITERATURE, I ALONE ASSUME FULL
RESPONSIBILITY FOR ANY STATE-
MENT OF FACT CONTAINED IN THIS
BOOK.

EARL L. DOUGLASS.

March, 1931.

ACKNOWLEDGMENTS

The making of a book is not only a stupendous task for the writer; it imposes also a great burden upon his friends.

At least such has been the case in the writing of this book. Any attempt to make a factual presentation of any subject means such checking and re-checking of the data that the writer must inevitably lean heavily upon his friends.

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EIGHTEENTH AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

CHAPTER I

THE PHILOSOPHY OF PROHIBITION

It will be news to some people that there is a philosophy behind prohibition. Many regard this reform as a mere expedient—a necessary evil adopted to neutralize, if possible, the effects of another evil. That prohibition is supported by a sound philosophy of life, that it is the policy to which our country has been driven not only by the pressure of circumstances, but by the relentless force of logic, is something that even the friends of this measure do not always appreciate.

There are three truths—constituting a tripod, if you will—upon which the whole prohibition movement rests. The first of these truths is that the desire for alcohol is an acquired, not a natural, appetite and therefore has no right to exist. In fact, it exists only because of the presence in the world of a certain commodity. If we remove that commodity from the market and allow a generation or two for the alcoholics to die off, the desire will vanish from the emotional equipment of human beings.

Nature endows us with certain desires for very definite purposes. The desire for food springs from the most fundamental physical needs. The

sex desire insures reproduction and furnishes a basis for the establishing of family life. The impulse to acquire such things as property, money, and goods of all sorts lies at the basis of trade and industry.

These desires are natural and morally neutral. Under certain circumstances they enrich the whole personal life. Under other circumstances they ruin it. Man has always been hard at work on the problem of how to control these natural desires, and he has learned after a long experience that natural desires cannot be annihilated, permanently suppressed, nor prohibited. They must be made to work to man's benefit, and not to his undoing.

The prohibition principle cannot be employed when we are dealing with natural desires. When the principle of prohibition is employed in trying to handle man's acquisitive desire and a theory like communism is evolved, it produces nothing but confusion. When prohibition is resorted to in an attempt to keep sexual desires within bounds and celibacy is accepted as the only rule for the good life, the results are far from reassuring. When the prohibition principle is employed to its limited extent against gluttony and fasting is praised as a measure good both for body and soul, the consequences on the whole prove disastrous.

You cannot employ the principle of prohibition against the natural desires. These are given us

for a purpose, and they must be regulated, not prohibited.

But the desire for alcohol is not a natural desire. It is not part of man's natural equipment. People get the desire for alcohol by taking it into their systems, just as they develop desire after repeatedly taking morphine, cocaine, and several other drugs. A few people, whose ancestors have been hard drinkers, seem to be born with the taste already formed; they have inherited, however, not the acquired taste, but the same inherent weakness which made drinkers of their forebears.

Now, there are many things which with the passing of time man acquires, and not all these things are by any means harmful; but the alcoholic habit has for centuries proved itself so degrading that it has always been deplored and resisted. We have come at last to a machine age where it can no longer be even tolerated. When people lived on farms and a drunken man had a whole township to stagger over, men paid less attention to the liquor problem; but with about twenty-eight million automobiles congesting the streets and highways of the United States and the whole of our production on the machine basis, we feel differently about the whole matter.

The tendencies of the natural appetites to get out of leash cause men trouble enough. The modern world does not intend to take any chances with as dangerous an evil as the acquired appetite

for alcohol, especially when it can eventually be eliminated by the removal of a commodity from the market.

The second truth upon which prohibition rests is that the way to control anything is to control its source. The way to keep a river from going on a rampage each spring is to build dams up in the hills and impound the freshets before they get started on their work of destruction. A dollar spent in this way may save many dollars that might otherwise have to be expended on relief and rehabilitation. The way to insure having an obedient son and daughter in high school is to begin to teach them obedience as soon as they are able to learn anything. The United States Government fought yellow fever for years, and although our army defeated the Spaniard, yellow fever defeated the army. It is now everywhere recognized that the only way to control yellow fever is to control it at the source. Twenty-five years ago there were hundreds of cases of typhoid fever in every city of any size in this country. Typhoid fever has been almost entirely wiped out because we have adopted the custom of taking the germ out of the water before people drink it rather than trying to make them well after they have contracted the disease.

Temperance was an attempt to apply the principles of treatment to a sick patient. Prohibition is an attempt to employ the principles of sanita-

tion against the evil itself. "Let's rescue as many as we can," was the slogan a generation ago. "Let's destroy the traffic that makes rescue necessary," says the hard-headed modern. Prohibition is simply an attempt to apply against the evil of intemperance certain principles which have been found to work admirably in other fields, and chief among these is the principle that it is better to prevent an evil by controlling its source than to try to cure it after it spreads.

The third principle underlying prohibition is that you cannot trust people who make a business of pandering to human weakness. When a man takes up such a trade he automatically puts himself outside the pale of normal human society. It took the American people many years to learn their lesson, but they learned it at last. They came to see that just as you cannot regulate the evil of intemperance so you cannot regulate the man who promotes this evil in the community.

The liquor dealer proved a pirate. There was no law of God or man that he would respect. He reached into the home and led forth the son, and when he let him go again he was a broken and ruined creature. He kept a well-beaten path between his place of business and the houses of ill fame. He defied the best element of the community and put a saloon on every corner. He kept open after hours; he sold his wares on Sunday; he let minor children in the back door and

fastened the appetite upon them long before they were old enough to vote. He elected the mayor and appointed the chief of police. He bulldozed the legislature, and allowed only such men to go to Congress and the United States Senate as he thought would serve him. He bribed judges and threatened district attorneys. He blackmailed the young man just entering politics.

At last the American people decided to put the skids under this worthy citizen and the Eighteenth Amendment and the Volstead Act were passed. Everyone familiar at all with the circumstances leading up to the adoption of these two measures knows that no one brought on prohibition any faster than the liquor dealer himself. His countrymen weighed him in the balance and he was found wanting.

Don't apologize for prohibition. Don't let anyone persuade you that it is contrary to the best tradition of our country. It is one of the best examples in our national life of the sensible way the modern American has of settling practical problems.

Prohibition is not a mere expedient adopted by a desperate people who did not know what else to do. It is a policy based on a very definite philosophy of life, namely: that acquired appetites are excess baggage which no one should be required to carry, that the place to stop an evil is at its source, and that you can't regulate the conduct of

men who make a business of degrading their fellows.

The plea for temperance instead of prohibition is the plea that we return to nineteenth-century methods in the handling of a twentieth-century problem.

Temperance movements are as out of date as battle-axes and spinning-wheels.

CHAPTER II

HOW IT WAS "SLIPPED OVER"

The confession of faith of the average anti-prohibitionist runs something like this:

Prohibition is a fanatical movement. It was conceived in the minds of fanatics, put over while the country was occupied with war problems, and has been maintained by the high-handed methods of a determined minority, able to bulldoze Congress and most of the states into doing their bidding. The people of this country never really wanted prohibition and don't want it now. It was put across by slackers, sentimentalists and professional reformers while the soldiers were out of the country. There were, no doubt, many abuses under the old saloon system, but the liquor problem was on a fair way to correct its worst evils until prohibition was injected as an issue and spoiled everything. Temperance sentiment was growing each year in this country, but the fanatics were not satisfied until they got busy and put across a law, contrary to the best traditions of the country and decidedly unenforceable.

Prohibition is the worst piece of sumptuary legislation on record. It reeks of fanaticism, and is the one law still on the statute books that reflects the haste and hysteria of war days.

The average prohibitionist, on the other hand, insists that sentiments like the above belong in the same pigeon-hole with the Ptolemaic theory of the universe, and Cotton Mather's tracts on witchcraft. The attempt will be made in the following chapters to examine the problems and achievements that have arisen in connection with the American people's long struggle with intemperance, and particularly with the ten-years' experiment of prohibition.

The first thing an intelligent observer wants to know is whether prohibition is a policy adopted after due deliberation, or simply a radical scheme artfully advanced by a group of fanatical and professional reformers.

It is well for us to recall that prohibition is not a new policy. In 1681, Louis XIV of France issued a decree prohibiting the sale of intoxicating liquors in New France. This territory included portions of the Saint Lawrence Valley and the Great Lakes Region—Michigan, Illinois, Indiana, and part of Ohio. Cadillac was in command of the French territory in the vicinity of Mackinaw. He was not in sympathy with the king's mandate and refused to enforce the same. He did, however, make an appeal to the king to reverse the decree, but no record appears to show that Louis XIV rescinded his action.

When Quebec fell to the English in 1759, British authority was extended to this territory, and the

use of alcoholic liquors was particularly encouraged by British traders in their dealings with the Aborigines.

Between 1680 and 1685 the chiefs of the tribes of Delaware Indians, in the vicinity of what is now Wilmington, appealed to the Pennsylvania government at Philadelphia for an edict prohibiting the sale of intoxicating beverages throughout the section now included in the State of Delaware and parts of New Jersey.

The Continental Congress in 1777, recognizing the inroads that were being made upon the strength of the Union in its revolution against the British Empire, but not having authority to legislate against this evil from within, adopted a resolution on February 27, 1777, recommending to the legislatures of the several states that they adopt "the most effectual legislation for bringing an immediate stop to the pernicious practice of distilling grain."

The opening skirmish with the liquor traffic in this country, after the adoption of the Constitution, occurred during Washington's first administration. Alexander Hamilton had recommended, as a means of raising revenue, a high tax on ardent spirits (gin, whiskey and rum). There was dissatisfaction among distillers all over the country upon the announcement of this policy, but it was in western Pennsylvania only that the discontent assumed the form of actual rebellion. A

number of the government officials were pretty roughly handled by the frontiersmen, especially the United States Internal Revenue Inspector at Pittsburgh. Washington, after trying every means of persuasion, at last raised a force of fifteen thousand men and started west. The news of his coming was enough to spread terror in the ranks of the rebels. It was a bloodless rebellion. Washington's concern about the whole matter was due to the fact that it amounted to sheer defiance of the new Constitution, upon the authority of which he believed the future of the nation depended. It is well to remember, in an examination of the liquor problem, that the first attempt to defy the government of the United States was made not by the slave interests, nor by ambitious politicians anxious to establish themselves in power, but by a group of men who made whiskey and sold it, and who neither recognized nor obeyed any authority on earth when it came to the manufacture and sale of their commodity (1).

The first organized effort against alcoholic intemperance is said to have been made by a little group of men in Saratoga County, New York, in 1808. A physician, bearing the picturesque name of Billy J. Clark, organized twenty-three men of his village into the first known temperance society; and twenty-seven years later there were, according to report, 8,000 temperance societies in the

country with a membership of 1,500,000 (2). Not a bad showing when we recall that there were only about one-tenth as many people in the country then as there are today.

There can be no doubt that these societies, begun 110 years before the Eighteenth Amendment was submitted to the states, laid the foundation for the system of liquor control we now have. They aroused the interest of hundreds of thousands of people, and began to make articulate and widespread the hope, which only a few had previously entertained, for some sort of reform regarding liquor. It was the Washingtonian Movement, begun in 1840, however, that first commended the problem of liquor reform to the common people. A group of reformed drunkards in Baltimore organized the Washingtonian Movement on Washington's birthday of that year, and started such a campaign of pledge signing as the country had never before witnessed (3). The weakness of the movement lay in the fact that it depended entirely upon moral suasion for success; and since the makers and sellers of liquor were immune to that sort of thing and made two new addicts to every one the temperance crowd "saved," the sum total of the movement was lots of excitement and good resolutions with the saloon doing business as usual at the same old stand. General James Appleton of Maine was the first legislator to advocate prohibition of the manufacture and sale of

liquor. He presented a report to the legislature of which he was a member in 1837 which for cogency and foresight is a document worthy of the perusal of even this sophisticated generation. Nine years later General Appleton and General Neal Dow, two of the greatest temperance leaders of all time, succeeded in leading the temperance forces to victory, and put the first prohibition law on the statute books of any state. The law was inadequate, however, and in 1851 a new law was substituted for it. This is generally considered the first really binding prohibition law in the history of the United States.

Now let us stop for a moment and see where we stand. The anti-prohibitionist today is particularly offended by what he calls the haste of this unpremeditated reform. Yet seventy-one years before the Eighteenth Amendment was passed by Congress one of the sovereign states of the Union had adopted prohibition, and that after almost half a century of nation-wide debate on every aspect of the liquor question. Many people—and among that number not a few drys—have the impression that prohibition is something new. It is for New York, Philadelphia and Chicago; but so far as the country at large is concerned, this problem has been under consideration for more than a century. Two great temperance movements rose and waned before 1850. The problem of beer and wine had been carefully con-

sidered, tried and rejected. After fifty years of pledge signing and moral suasion, the temperance leaders came to see that any attempt to control the liquor problem by trying to persuade the drinker to correct his habits was a policy which, in spite of its benefits to individuals, could never possibly make much headway against the traffic itself. Every time one "old soak" went up to the mourner's bench, two fine young fellows stepped up to the bar and ordered their first drink. Temperance was a step in advance for the generations which had no control whatsoever over liquor, but as soon as the control of liquor began to commend itself to a considerable number of people as a possibility, the necessity of controlling the traffic instead of the drinker became increasingly more apparent.

One whole generation passed through its years of maturity from the time Dr. Billy J. Clark founded the first temperance society, until Generals Neal Dow and James Appleton succeeded in persuading the legislature of Maine to pass the first prohibition law. It took half a century of uphill fighting to make one state dry, and even then the prohibition movement can hardly be said to have begun. Yet many otherwise intelligent journalists, politicians and persons of social prominence today try to persuade the public that prohibition was a hasty and unpremeditated measure, put across in the excitement of war times and

representing nothing but the fanatical notions of a well-organized minority.

Between 1851 and 1855, following the example of Maine, twelve more states of the thirty-one then comprising the Union adopted prohibition (4). Just before the Civil War broke out it looked very much as if prohibition would sweep the land. But several factors prevented this, and delayed the reform for almost seventy years. The slavery issue was assuming such importance that every other political and social problem was forced into the background. The liquor interests, by the time prohibition had won this much territory, were organized to withstand it; and by precisely the same methods being used at the present time, succeeded in undermining public confidence in the new legislation to such an extent that every state at last repealed its prohibition law—even Maine, which returned to the dry column, however, two years later.

In 1862 a policy was adopted which did more to retard the temperance movement than anything occurring during its entire history. Abraham Lincoln was a prohibitionist long before national prohibition was thought of (5). He drafted a prohibition bill for the State of Illinois in 1855 which would have been adopted had it not been for the influence of Stephen A. Douglas and his pro-slavery associates in the southern part of the state. Lincoln was not only a total abstainer himself, but

believed heartily in prohibition as the only means of dealing with alcoholic intemperance. In 1862, however, the North was so hard pressed for money to prosecute the war, that, much against his will, Lincoln signed a bill to put the liquor traffic under Federal control and tax it heavily (6). He took this step only upon being confidently assured by the supporters of the bill that it was purely a war measure and would be repealed as soon as peace was declared. We can imagine that, had he lived, President Lincoln would have demanded the fulfillment of this promise; but after his death it was forgotten, and with the support and protection of the government the liquor trade entered upon the most prosperous era of its history. Up to this time it had been an outlaw trade, opposed by the best element everywhere. Now it was protected by the government, licensed to operate, and made particularly secure by the fact that it furnished much of the revenue for the support of the government. It occurred, of course, to the minds of only a few people that this tax was collected not from the brewers and distillers, but ultimately from the men, and particularly the women and children, who were most affected by the saloon. The moderate drinker paid a small portion of this tax. The bulk of it was paid by the multitude of men who, with the passing years, were sinking deeper and deeper into the alcoholic habit, and the women who from marriage until death seldom

knew what it was like to get a just share of the husband's wages on pay day for the support of their children and the home.

The passage of the measure in 1862 licensing the manufacture and sale of liquor and making the trade one of the important sources of financial support of the government was the worst body blow the temperance movement in this country ever received.

As soon as the liquor interests found themselves under the protection of the Federal government they began organizing for the extension of their trade, and the success of their efforts is revealed in the fact that between 1850 and 1890 the brewing business more than doubled every ten years (7). The United States Brewers' Association was organized in 1862. Their methods of procedure can be judged from the statement of one of their members made some years later:

In the first place we assessed the sales of all beer. . . . We levied an assessment of \$1,000 on all the large hotels and they paid it like little men and from \$25 to \$50 on the smaller retail shops. Besides, each brewer was required to solicit money from all kindred interests. . . . Those engaged in making barrels, those from whom we bought our horses and wagons and grain and machinery (8).

Such an enterprising organization was of course

destined to succeed. The great influx of immigrants a few years after the Civil War greatly aided the policies of the brewers. These newcomers had their drinking habits well formed and assumed toward the matter of drinking an entirely different attitude from that maintained by the more settled portion of the population. By 1870 the hopes of temperance looked dim, and only a few of the most courageous dared to believe that there would ever be a resurgence of prohibition sentiment resembling the great movement of the fifties.

But between 1880 and 1890 (9) it began to look again as if the prohibition cause was not dead after all. During the first six years of this decade states and territories voted seven times on prohibition and adopted it five times. During the last three years of that decade the tide turned, and while fourteen states voted on the question only two adopted. It was still possible to bring liquor into the states in sealed packages. Liquor could be run into a dry state quickly from an adjoining wet state. Many of the railroads ran excursion trains to the nearest wet city, and thousands bought round-trip tickets. As soon as a state went dry the United States Brewers' Association or the National Protective Association rushed ammunition and forces to that point in the form of money, highly paid journalists who prepared newspaper stories and editorials, bootleggers who

would sell surreptitiously what the law prohibited, and thugs and strong-arm men who hung about the polls on election day and intimidated the voters. As the result of these and other measures the several states that had adopted prohibition between 1880 and 1890 slipped back into the wet column, so that by 1903 only three states remained dry—Maine, Kansas and North Dakota.

Ninety-five years had passed since Dr. Billy J. Clark had organized his little temperance society with twenty-three members. Prohibition had been voted upon in almost every state in the Union. Everyone but the sophisticated city dwellers of the eastern seaboard realized the significance of the problem and had done some thinking about it. The drys had forced the issue until at one time they held as many as thirteen states. But the brewers were too strong for them. Most significant and influential of all, however, the country had not yet become thoroughly industrialized, and the relation of liquor to industrial efficiency and safety was not yet perceived. But a vast educational process had been going on now for almost a century. Millions of people were interested. Even in the eighties, 46 per cent of all the people who voted on the prohibition question cast their votes in its favor.

Those who could discern the signs of the times began to discover faint evidence of handwriting on the wall.

Between 1869 and 1900 several very important things happened in the dry ranks. The Prohibition Party was organized in 1869 (10). Call these men fanatics, bigots or anything you have a mind to, the fact still remains that they exerted a powerful influence for prohibition from that time forth. In season and out of season they fought with one end in view. They enlisted some of the best minds of the nation and turned them loose over the country to persuade the electorate that the manufacture and sale of liquor was contrary to the best interests of the general public.

In 1873 a group of women at Hillsboro, Ohio, after prayer and the reading of the 146th Psalm, which came to be known as the Crusaders' Psalm, proceeded directly to the saloons of the town, where, with prayers and pleading, they appealed to the saloon-keepers to give up their business. One can well imagine the disconcerting effect this had on the saloon-keepers. Women stood at the bar and pleaded with the bartender; others knelt at the tables or out in the street and prayed. Business was at a standstill, and the town was thrown into the most furious excitement for some days. At Washington Court House, Ohio, fifty-two women on a certain day marched to the saloons with the church bells tolling and began their crusade of persuasion and prayer. On the second day one saloon-keeper capitulated and gave his entire stock into the women's hands to do with

as they liked. At the end of eight days every one of the eleven saloons in the village was closed. The brewers of Cincinnati offered \$5,000 reward to anyone who would break the movement, and one unusually courageous male engaged to do so. Within four days he also threw up his hands and surrendered to the praying women (11).

This so-called "Crusade" led to the formation of the Woman's Christian Temperance Union in 1874, and the influence of that organization, from that day to this, has been tremendous (12).

An incident occurred during this period that was destined to exert a powerful influence on the whole question of prohibition. Between 1879 and 1902 every state then in the Union adopted laws providing for the teaching in the public schools of the effect of alcohol on the human system. The Woman's Christian Temperance Union was largely responsible for this legislation (13). It is a significant fact that within about a generation the sale of intoxicating liquors was prohibited by constitutional amendment.

In 1893 the much-abused Anti-Saloon League was organized at Oberlin, Ohio (14). As early as 1875 the brewers had decided to be non-partisan in politics, supporting the candidates of either party if they were friendly to the liquor interests. It occurred at last to the dry forces that this plan might work well in behalf of prohibition, and the Anti-Saloon League (the church in action against

the saloon) proceeded to organize on that basis. Like every human institution the League has made mistakes, but the howl that has gone up from the wet press and the liquor dealers has not been over the mistakes the League made, but over the fact that they made so few. It is not true that the Anti-Saloon League brought on prohibition. To assert this would be to withhold justice from many other splendid temperance organizations; but it is true that it exerted an enormous influence and that millions of people in the country looked to the leadership of the League after 1900, and responded to its appeal to support dry candidates.

When the wets begin to decry an anti-liquor organization it is pretty certain that someone is getting hurt.

Prohibition entered into its last phase in 1907. In that year Georgia adopted statutory prohibition, to be followed soon by Oklahoma. Two more states followed in 1908, and one in 1909. Then the avalanche began. The educational campaign that had been waged for one hundred years began to produce results. The dry forces were organized as they had never been organized before. Generations of defeat had taught them invaluable lessons. For once the children of light were wiser than the children of the world.

The wets in the next twenty years were destined to make every possible blunder in politics and administration. Chief among these mistakes was

the determination of the brewers to get control of the saloons. When prohibition was adopted as a Federal measure, the breweries owned almost 85 per cent of the saloons. They often put them in charge of the vicious element, who, by the way they broke the law and overrode public sentiment, offended even the people who would ordinarily have been indifferent to saloon practices. Five states went into the dry column in 1914, five more in 1915, four in 1916, four in 1917, five in 1918, one in 1919 (15). By the time the Federal government had gotten around to doing something about the liquor problem thirty-three states had done something about it with a vengeance. Some had tried the dispensary system, which some people are actually advocating today with a straight face in spite of the fact that it has been tried and discredited. Beer and light wine had been tried by other states. All had experienced the degrading influence of the saloon; and they had learned that anyone who will go into the business of corrupting his fellows for what he can get out of it will no more obey the civil law than he will obey the moral law.

There have been thirty-two states which have had binding referenda upon prohibition. Thirty states of the thirty-two gave majorities for prohibition. The vote in all the thirty-two states in favor of prohibition was 36 per cent in excess of that cast for liquor.

In the period 1916-1928 there were ten of the thirty states mentioned above which, after having voted for prohibitory laws, took a second vote upon the question of continuing those laws. Just remember that they had a chance to try prohibition and to compare it with what they had known before. They were asked to register either their approval or disapproval. Of the ten states only one, Montana, voted against prohibition, and nine out of the ten voted to continue it—all of these nine states increased their dry majorities. In fact they gave prohibition, in their latest expression, a majority practically four times as large as they had given on their earlier votes. The aggregate majority in these nine states on their adopting vote was 260,612, and on their latest vote 1,041,068. While since 1928 several states have repealed their state enforcement laws, Governor Emmerson of Illinois vetoed such a bill in April, 1931 (16).

Something will be said later about referenda and the extent to which prohibition represents popular opinion, but it might be well to call attention at this point to the fact that for seventy years—from 1850 until 1920—more referenda were held on prohibition than on all other matters combined, and that in the history of the country no issue—not even slavery—has been so long discussed and so often voted upon. The liquor interests do not have a leg to stand on when they ask for another chance. They had their chance with the people of

this country for more than a hundred years, and they so abused every opportunity given them to make good that by 1907 the situation had simply become intolerable and a wave of prohibition sentiment began to rise with fury. Most of these states voted themselves dry long before we entered the World War. Liquor was the big issue in every election. There can be no plea of war mania so far as state prohibition was concerned. The elections were straight out-and-out referenda on this issue. When the liquor crowd got their breath they found to their dismay that almost 90 per cent of the area of the country was dry, most of it as the result of popular vote, and 68 per cent of the population of the country was living in this dry area. Only about 400 counties out of the 3,044 in the country were still wet. Liquor had taken a terrible beating (17).

But what about national prohibition all this time? There are many people who believe that it was a policy only conceived when certain of the states began to go dry. As a matter of fact national prohibition was the goal toward which the temperance forces had been working for seventy-five years before its actual adoption. As early as 1876 a prohibition amendment had been introduced into the House of Representatives (18). A similar resolution was introduced into the Senate in 1887; and when it was voted upon in 1889 thirteen senators voted in favor of its adoption. Then

for twenty-four years no amendment resolution was introduced into either branch of Congress. During all this time, however, the temperance organizations were hard at work on a program of education. People came to see at last that while state prohibition was an improvement on local option, it was far from the ultimate solution of the problem. The liquor traffic, with its customary disregard of law, allied itself with the criminal element and bootlegged the liquor into dry states. The Webb-Kenyon Law gave the states power to regulate this evil to a certain extent, but so long as the liquor traffic was allowed to exist, more legislation only meant making it a little harder for the distiller and brewer to operate.

Little by little it became apparent that the liquor traffic was criminal by nature, and that to talk of regulating it was like talking about regulating burglary. The liquor business was not like other business enterprises. Banking and insurance can be regulated and if the necessity of so doing should arise, the government could regulate the manufacture and sale of food and dry goods, because these are varieties of business operated by honest men. But the liquor business was criminal in its object, and while almost every community had at least one "good saloon-keeper," the trade as a whole had attracted the very off-scourings of society. A man had to be pretty well degraded in heart and mind before he would

go into a business that preyed so upon the life of women and children. It had to be supported by special concessions, and this led inevitably to graft. Nature has established a definite connection between the drinking of liquor and the arousal of sex passion, and the saloons of all time have been mere annexes of the brothels. Self-respecting men would not go into a business that moved at these low levels, and the result was that the liquor traffic was largely made up of a criminally minded element, with a few highly respectable people with hard-boiled consciences financing the trade and managing things at the top, far away from the stench of the saloon and the bitter weeping of women and children.

The only way to deal with a criminally minded trade is to abolish it. It took the American people a long time to learn this, but with that rare common sense for which they are noted, they at last faced the inevitable and understood how to eradicate the evil.

As a well-known statesman once said, "You could not import dryness into a wet state, but you could import wetness into a dry state." The continual attempt of the liquor business so to do led the people of the nation to see at last that the only remedy was to make the whole nation dry—since most of it had gone dry already—and forever put out of business a traffic that was criminal by instinct and practice.

Now right here is where the war comes into the prohibition picture. It is true that the war played an important part in the adoption of the Eighteenth Amendment, but not in the way most people believe. The impression is rather widespread that the people of this country adopted prohibition when the country was worked up to a high pitch of idealism. The war undoubtedly stimulated in everyone the desire to serve; and while in that abnormal state, the minds of the people being occupied with war problems, the reformers are supposed to have succeeded in surreptitiously getting enough support to put across a measure which the nation as a whole has since regretted.

That is the wet version of the case. As a matter of fact the great contribution of the war to the prohibition cause was the extent to which national danger revealed the waste, the industrial disadvantage, the treason and the criminality of the liquor traffic. The testimony presented to Congress of the treasonable activities of the brewers while we were engaged in the World War fills many volumes (19). Briefly stated, the brewer simply tried to stab this country in the back while the government was engaged in waging the war; and it would be in much better taste if intelligent people today, discussing the adoption of prohibition, should dwell on what the *brewers* were doing when the soldiers were in France, instead of try-

ing to make it appear that the statesmen who adopted the Amendment did so in a sneaking fashion when millions of men were overseas fighting for their country.

The war showed up the liquor business. The brewers, as a class, turned out to be traitors. While the government was trying to do everything to put the country, as well as the army and navy, on the highest possible plane of efficiency, the saloon-keeper was at his old game of debauching the public. Millions, who would have closed their eyes to the whole liquor situation in times of peace or dismissed it with a shrug of the shoulders, were thoroughly aroused at the spectacle of a business, long under government protection, trying to give aid and comfort to our enemies in time of war and slowing up the nation when everything possible was being done to make it unusually efficient. Greatest of all factors in hurrying prohibition along, however, was the widespread resentment that millions of tons of food were being used for the making of liquor while our allies were on the verge of starvation, and even the people of this country were using many substitutes for the food staples. Lloyd George pointed out that the liquor trade of England was using more food than the German submarines were sending to the bottom of the sea. Prohibition simply presented itself as the only sensible measure to be adopted in view of the circumstances. It was vain to expect co-

operation from a criminally minded industry. The only way to handle it was with a firm hand.

For almost 125 years—since the days of the Whiskey Rebellion—the American people had experimented with every possible method in their attempt to control liquor. The traffic had been given every chance to make good. It became apparent, after many years of bitter experience, that regulation was impossible, and that the thing to do with the liquor business was to adjudge it criminal and proceed accordingly. It was this conviction that started the state prohibition movement again after it had lain dormant for more than twenty years. The country was pretty thoroughly disgusted with the brewer and distiller when the war began, but, when during its prosecution they turned traitor and gained the malodorous distinction of being the only manufacturers in the country unwilling to assist the government in food conservation, the long suffering of the American people came suddenly to an end. With characteristic energy they proceeded to destroy the traffic with which they had been so long patient and which, in return for their protection, had tried to give aid to the enemy in time of war.

As early as 1914 a resolution to amend the constitution to prohibit the manufacture and sale of intoxicating liquor had received a majority vote in Congress, but not the necessary two-thirds vote (20). In 1917 it looked as if the War Prohibition

Bill would be passed; and the wets, hoping to forestall this by allowing the submission to the states of an amendment they were confident would never pass, agreed to allow the amendment resolution to come to a vote. They were astounded when it passed with the required two-thirds majority in both houses with plenty of votes to spare. Thirty-six states must ratify an amendment to make it operative as part of the Constitution. If the wets could control only one branch of the legislature in thirteen states it could be defeated. Furthermore, they were powerful enough to have inserted in the resolution a section which had never before appeared in any amendment submitted to the states, namely, the proviso that it must be adopted in seven years or be null and void. The liquor interests had only to hold one House in the legislatures of thirteen states and hold it for only seven years. They were so confident they could do this that a few evenings after the passage of the amendment resolution with this stricture embodied, the liquor lobby in Washington was said to have held a banquet celebrating the fact that they had prevented the passage of war prohibition, and had given the drys, in exchange, the opportunity to submit to the states an amendment to the Constitution which they were entirely confident could never be passed, and certainly not within seven years.

The Eighteenth Amendment was ratified in

about thirteen months (21). The liquor interests had again badly misjudged the sentiments of the American people. Three-fourths of the states must ratify an amendment, which means, as the Union is now constituted, thirty-six. Forty-six states actually ratified—ten more than was necessary. In fact only one state voted against it in both Houses. Never in the history of this country has any amendment been given such overwhelming approval. Eighty-four per cent of the state senators voted in favor of the amendment and 79 per cent of the state legislators. When the Volstead Act, supporting the Amendment, was vetoed by President Wilson, it was passed over his veto within twenty-four hours. When the constitutionality of the Amendment and its enabling act was questioned and the matter brought before the United States Supreme Court, unanimous decisions were handed down declaring both constitutional.*

It is well to remember, in view of the fact that so much is heard today about the Amendment being slipped over while the soldiers were in France, that the Congress which passed the Amendment was elected, with liquor as the leading issue, five months before we entered the war. Many state legislatures which ratified the amendment were

* NOTE—Justices unanimous on Volstead Act and first section of the Amendment. Two Justices dissented on the interpretation of Section 2 giving concurrent powers to states.

elected before any considerable number of men had been called into service. The Supplemental Prohibition Act, passed after our soldiers were home again, had a larger majority in the House than had the Volstead Act.

Thus was prohibition "slipped over."

John Barleycorn was duly interred on the sixteenth of January, 1920.

The following chapter will relate the difficulties Uncle Sam has been encountering for the past ten years trying to convince the corpse that he's dead.

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CHAPTER III

BALLOTS AND BUNCOMBE

Everyone admits that prohibition was a success the first two years after its adoption. Few of the wets will go so far as to deny this. There was a reduction of the evils for which liquor had long been responsible that astounded everyone. Arrests for drunkenness showed an unprecedented decrease. Many prisons in the country reported a marked decrease in population. Crimes generally attributable to alcoholism were greatly reduced in number. Deaths from alcoholism fell off and reached the lowest levels. More will be said later about all these matters, but the benefits—particularly the economic benefits—which became immediately apparent upon the operation of the Amendment cannot be too often emphasized. The country simply leaped forward as soon as the liquor burden dropped from its back.

A point that should never be forgotten is that a reform of this variety can be justly judged only when it has had a fair chance to operate. Something even the wets would not dispute is that when prohibition had that fair chance, as it had the first two years after its adoption, it produced the most striking results of any reform in history. If

it is not producing such spectacular results today it must be due, not to the failure of prohibition as a policy, but to the failure either of the government to enforce this policy or the people to obey it. Prohibition has not failed. The government may have failed or the people of the country may have failed, but prohibition—during the time it had a fair chance—demonstrated itself the most helpful policy socially, economically, and morally that this or any other government had ever inaugurated.

Advocates of prohibition will have to stop allowing to go unchallenged the statement that prohibition has failed. Even today conditions are so much improved, when contrasted with the days of the saloon, that few have ever dared suggest the desirability of returning to the old system.

Since 1922 the benefits of prohibition have in some measure decreased, and the opponents of prohibition have the unbelievable temerity to blame the prohibition policy for this decrease. With a whiskey breath strong enough to knock down two able-bodied men, someone in the locker room of the country club will shriek out from the folds of a bath towel that this damnable prohibition is ruining the country. As a matter of fact he and his family have probably been able to get up into the country-club class because of improved business conditions which would not exist had prohibition not been adopted. Prohibition has not

failed. The government has failed to restrain the bootlegger who delivers liquor to this chap's kitchen door, and the oracle of wisdom himself has failed lamentably as a law-abiding citizen when he has had dealings with a criminal. But prohibition has not failed. If the policy of prohibition had about it the element of failure, the years 1920 and 1921 would have revealed this. Instead, these years were characterized by such improvement in all conditions that no one could fail to see the connection between such improved conditions and the abatement of the liquor nuisance.

One of the chief responsibilities resting upon the proponents of prohibition today is that of fastening the blame for the violation of liquor law not on prohibition, *but on those who violate prohibition*. Prohibition is working today in a satisfactory manner in spite of the fact that the law is said to be functioning at about 60 per cent (1). When it had a chance to function at close to eighty or ninety per cent, as in 1920, it produced results the like of which no generation has ever witnessed.

It cannot be denied that prohibition got off to a bad start. The first year of its administration was under the President who vetoed the Volstead Act. President Wilson's veto of the Volstead Act, however, was based on his objection to continuing war-time prohibition and not at all because he

entertained any hostility whatsoever toward prohibition enforcement. As a matter of fact, it has been abundantly proved since Mr. Wilson's death that his attitude toward prohibition was never such as to call forth the least criticism of the drys. His last utterance on the subject was:

The Eighteenth Amendment should remain unchanged, and the Volstead Act should remain unchanged.

However, a combination of circumstances, for which the President was in no wise responsible, caused prohibition to get off to a bad start in 1920.

President Wilson was succeeded by a man who throughout his previous career as a legislator had consistently voted with the wets. Of the twenty-two times that Senator Warren G. Harding had a chance to vote on the liquor question, he voted wet twenty of these times. His vote to pass the Volstead Act over the President's veto was probably intended more as a rebuke to a Democratic President than as a token of his approval of the measure. So far as his utterances went after taking office, President Harding realized the significance of prohibition and wanted to see it succeed. But again it was unfortunate for the new policy that its administration was in the hands of men who, to say the least, were not enthusiastic about it.

The easy-going policy which prevailed during

President Harding's brief administration is too well known to bear repetition; but one of the baneful results of this policy—a result that has caused fearful damage all these years—was the fact that the enforcement service fell largely into the hands of men who were selected by politicians, many of them wet. In fact, it became the established policy of wet politicians to suggest for appointment in the Prohibition Unit men they were sure would do everything to disable, and, if possible, wreck the measure.

In the first place the administration of the law could not become effective until certain court decisions had been rendered, and during the intervening period enforcement was necessarily somewhat chaotic. Worst of all, however, President Coolidge inherited the system which politicians had built up in previous administrations, and the agents previously appointed could not in justice be removed from office unless charges were preferred against them. For these and other reasons, therefore, prohibition enforcement was far from effective during these years.

What prohibition needed from the start was enthusiastic support, and while every President since its adoption has been an honest man, prohibition has never had an enthusiastic friend at court until Mr. Hoover was elected in 1928.

Mark the word "enthusiastic." Prohibition has limped along, and those in charge have attempted

to give it honest administration. But a measure that sets out to destroy one of the most powerfully entrenched evils in the world, supported by appetites that have been centuries in the making and by capital in the hands of unscrupulous men, needs more than ordinary administration. If it is to succeed it must have the support of men who not only accept the responsibility of enforcement as a duty imposed by law, but who see the significance of the measure in an industrial age, who appreciate the enormity of the evil it seeks to destroy, and who favor the policy not only because it is the law, but because—as experience has so abundantly proved—it is the only policy consistent with the best interests of the country.

Such a man President Hoover appears to be. He is not a rabid prohibitionist, any more than Lincoln was a rabid abolitionist; but like the great Emancipator he knows a moral problem when he confronts it, and seems to be proceeding with much the same fidelity to legal procedure that Lincoln employed in the solution of the slavery question. Prohibition needs enthusiasm; but it needs wisdom also, and this Mr. Hoover undoubtedly possesses. He was put in office by the most overwhelming majority any President has received in recent years, primarily because he represented a high-minded approach to life in general and to the prohibition movement in particular. While many factors operated in the 1928

campaign, Mr. Hoover's stand on the wet and dry issue was undoubtedly of great significance. His opponent had announced that if elected he would propose an amendment to the Eighteenth Amendment that would permit what the Eighteenth Amendment specifically forbade. Much as the wets may insist on the need of a referendum, the fact remains that they got one in 1928. The issue was clear cut. A wet ran against a dry, and each made his position on the liquor question paramount. The dry carried forty states, the wet carried eight. It was a clean-cut knock-out without the suggestion of a foul, and had there been any good sportsmanship in the liquor outfit they would have accepted it as such.

Couple with Mr. Hoover's enormous majority the fact that from 1920 to 1928, inclusive, Congress in both branches had been getting drier and drier each election, and the fact that prohibition is the will of the people needs no further demonstration—the insistence of a wet press to the contrary notwithstanding.

The liquor interests saw very clearly that the election of Mr. Hoover was the supreme challenge. Four years from 1928 would be too late to start the grand offensive. The last grand offensive had not had any too glorious consummation. The thing to do was to try to destroy public confidence in prohibition. The blaring of trumpets and the waving of banners had failed. The defeat

their candidate had received in 1928 taught them that the way to work most effectively was under cover. People believed that when they put Mr. Hoover in the White House they had elevated to that position one of the most unusual men the country had ever produced. If he could be so hamstrung and impeded that the prohibition situation would not greatly improve with the passing of time, a disappointed electorate might turn him out of office in 1932. The mind of the public must be prepared for all this. Large eastern dailies were persuaded to run a front-page article every day stressing the "failure" of prohibition. A wet speech a day in Congress, or as near that schedule as possible, was said to have been agreed upon. Socially prominent men and women, many of them old enemies of prohibition, were enlisted in the scheme to get the "open-minded" crowd, who were wavering in their allegiance, to come out for repeal or modification.

During 1929 and 1930 we saw the most determined effort for the return of pre-war conditions that the liquor interests and their friends have made since 1920.

Lest anyone may feel that the wet movement is something which has spontaneously arisen among a discontented public, it might be well for us to review the present army mobilized against the Eighteenth Amendment. What appears to be a movement against prohibition begun by promi-

ment and public-spirited citizens is almost entirely a carefully engineered policy of the supposedly defunct liquor industry.

Most people, probably, believe that the breweries have almost all been dismantled. While only 231 breweries operating in this country in 1929 were cereal beverage plants, there are said to be still over 700 more breweries sufficiently equipped to enable them to begin brewing within a few days' notice. This makes a total of about one thousand. Many of them have already been convicted for making and selling beer containing more than one-half of one per cent of alcohol. The United States Brewers' Association is still intact, and one of its officers at a recent annual meeting in Chicago is reported to have promised the Association that beer would come back within a few years. The brewers go on each year paying taxes on their property and getting little out of it except in the case of the establishments which make near-beer. It must be borne in mind that these breweries are valuable properties. If the brewers had thought the game was up, they would long ago have transformed these properties to other purposes or sold them and invested in something else. Some of them are still intact because they are engaged in making and selling real beer; but the majority are just as they were ten years ago, because their owners believe they will soon have the legal sanction to go ahead and produce

at least 2.75 or 4 per cent beer which would bring back the industry at full blast.

When the saloon was legalized, over ninety per cent of all the alcoholic beverages consumed was beer. Few people realize that almost ninety per cent of the old liquor industry is still fully equipped and ready for business, as soon as pressure propaganda has sufficiently undermined public confidence in prohibition and in a President, elected on a dry ticket, to make nullification, modification or repeal possible.

Now we begin to see what is behind this constant wave of anti-prohibition sentiment. A very highly financed system of propaganda—in the worst sense of that term—is working day and night to convince the nation that prohibition cannot be enforced. The people behind this movement are not those who want to see it enforced or have given every possible aid to enforcement, but the old criminal traffic which since the days of the Whiskey Rebellion until the present has been debauching the country. They have in their employ a corps of highly paid lawyers. Their lobbyists in Washington are paid very high salaries; and the funds from which these salaries are paid are contributed not only by the liquor interests, but by a group of very wealthy business men, who, when they spend money, do so with the expectation of getting a return.

This “spontaneous” movement for relieving the

country of the "iniquity of prohibition" is one of the most cleverly managed and highly financed pieces of propaganda conceived in recent years. If you are ever tempted to say that prohibition can't be enforced, just remember that hundreds of thousands of dollars are being spent every year to teach the citizenry of the nation how to pronounce these words. The liquor traffic is still in business, but its chief business at the present time is to convey to the great mass of our people the impression that the present system cannot be made to work, and that in some way you can bring back liquor without having the moral—or rather the immoral—equivalent of the saloon.

In this well-planned offensive against the mind of the nation, many newspapers have lent their heartiest support.

People often wonder why this is so. Why have a majority of the large eastern dailies apparently allied themselves with the wets?

The first reason is psychological. Newspaper men pride themselves on being impersonal. Their whole training deepens this tendency. They instinctively dislike a movement like prohibition which involves taking sides with a vengeance. They believe—or at least pretend to believe—that there is something fanatical about it.

Then again, prohibition has made public drunkenness sufficiently scarce that it now comes under the classification of news. It was not news in the

old days. The police courts were busy every morning, and in the large cities night courts were established to handle the rush of business. A staggering man on the street was so common a sight that no one paid any particular attention to him, and the police only arrested him if he was making trouble. The saloons were crowded every evening. The wagons of the wholesale liquor dealers were rattling over the streets from an early morning hour until long after dark, not only supplying the saloons but filling the brothels up to the roof. In those days drunkenness was not news, nor was the general lawlessness which resulted from liquor. Today they are, and to such an extent that the city editor welcomes a booze or bootlegging story and often puts it on the front page.

Many newspapers of this country are under indictment in the minds of their readers. Any one who knows anything about the tactics of the liquor dealers in the past knows that one of the most effective means of influencing public opinion employed by the liquor business was the buying up of the press. Contrary to well-established newspaper ethics, editors often accepted stories written by the representatives of the liquor interests, put into their news columns articles denouncing prohibition without indicating that the space had been purchased, and even accepted editorial copy which was prepared in the offices of liquor

attorneys. The positive deluge of wet propaganda that has been appearing in the metropolitan dailies, especially during the past few years, puts many of these papers decidedly under suspicion in view of what has happened in the past.

Furthermore, when Mr. Henry H. Curran, President of the Association Against the Prohibition Amendment, was recently brought before the Lobby Committee of the Senate, he testified that the Association has a special publicity office in the Press Building in Washington, presided over by an experienced newspaper man. In answer to a question from Senator Walsh, "Have you got a list of the newspapers that take your articles?" Mr. Curran replied:

No. We couldn't compile such a list. We can't get the clippings. Pretty nearly every paper takes them, except a lot of little dry papers in the country hamlets. . . . I could name over all the principal daily newspapers whose names I remember, and I will do it, in which I know they have run our stuff (2).

An article recently appeared in one of the largest monthly magazines, ostensibly written by a United States ex-Senator whose name carries a great deal of weight. Mr. Curran testified that in reality it was written by a member of his Association (3).

Congressman James M. Beck made a wet speech

in Congress some time ago that was hailed by the wets as a great utterance, and the text of it was carried in many of the large eastern papers. The Senate investigation revealed that at the suggestion of Mr. Henry B. Joy of Detroit, Mr. W. H. Stayton, Secretary of the Association Against the Prohibition Amendment, conferred with Mr. Beck and suggested that he make the speech "in defense of the Constitution." Mr. Beck did so; but according to this same testimony the advance sheets were read by Mr. Stayton, and the latter wired the business managers of The New York Times and the New York Evening Post, saying, "If your policy would permit an editorial on this matter it would greatly aid our plans." The editorials appeared in these papers (4).

This "spontaneous revolt" of a disgusted public against "the iniquity of prohibition" is receiving from interested sources what the utmost spirit of charity does not prevent one's calling moral support and encouragement.

It is well to read the press accounts of liquor violations with more or less discrimination.

Probably nothing within the past year has given the wets so much comfort as the Literary Digest poll. It was hailed as indisputable evidence of a changed public sentiment. Upton Sinclair's letter to the New Republic gives at one and the same time the most convincing and the most amusing refutation of this contention that has been made.

Economic radicals are not conspicuous for their dryness; most of them are as wet as the South Seas. But Mr. Upton Sinclair is an exception. In his letter to the editors of the New Republic he says:

You will get many letters regarding your editorial of June 11th, entitled "Prohibition Repeal—Practical Politics." There will be letters from people who live in New York, and who think as you do, that New York is America. Also you will get a few letters like this, from the "hicks," out in the "sticks," who are America.

New York takes the Literary Digest poll seriously, and you grave editors gravely discuss "the major benefit of the poll"—meaning thereby, major benefit to the cause of John Barleycorn. The Literary Digest poll has stirred in the minds of the New Republic editors the thrilling vision of the possibility of carrying three-fourths of the states, and repealing the Eighteenth Amendment. I have cut out the editorial to save it and exhibit it to future generations as one of the funniest products of the New York mentality.

The New Republic specializes in statistics and in intellectual exactitude. You ought to be ashamed to let yourself be fooled by that Digest poll, and you ought now to impose upon yourself the duty of investigating it. I have before me some calculations sent to me by Mr. Floyd Neff, a statistician of Philadelphia, who has examined one of the several

methods by which the Digest poll was "loaded." Mr. Neff takes the wet states around New York City, that is, New York, Pennsylvania, New Jersey and Connecticut, and on the basis of the seventh poll published in the Digest, he shows that these four wet states have twenty-two per cent of the population of the country, and thirty-three per cent of the poll. He takes eight dry states: Texas, North Carolina, Oklahoma, Alabama, Georgia, Arkansas, Mississippi, and South Carolina, and shows that they have twenty per cent of the population, and six per cent of the poll. In other words, the four wet states, having practically the same population as the eight dry states, get five times as large a vote in the Digest poll. And this little trick, and so the New Republic tells us, has "changed the atmosphere of the prohibition debate!"

And that is only the beginning. If the New Republic really wants to know the truth about this matter, let it send an investigator to the Literary Digest and find out, if it can, what percentage of the Digest voters live in cities and what percentage live in the country. Unless I am mistaken, the Digest has not revealed this important factor. If it should turn out as I expect, that city people, whose addresses are easy to obtain, have been given five times the representation of country people, whose addresses are difficult to obtain, you will have another explanation of how you let yourself be fooled.

And while you are investigating, find out

what percentage of the Digest voters are women. Unless I am mistaken, the Digest has not revealed the facts on this vital point. I suspect you will find that, as the names of husbands are much easier to get than the names of wives, the men voters have been given five times the advantage over women voters in the poll. When you have allowed for these three factors, you will begin to regret your recent editorial.

Wake up, Mr. Editor, from your dream. You cannot carry three-fourths of the states, you cannot even carry one-fourth. All that you can do is to arouse the prohibition forces of America to a new campaign of education and political agitation. You have made your prophecy, now let me make mine: It won't be five years more before you have a new Carry Nation in New York. It would not take more than one hundred consecrated women, willing to go to jail, or if necessary to be killed by Tammany gangsters, to close every speakeasy in New York; and there would not more than one or two of them have to be killed, and none of them would have to stay in jail more than a week or two. They would bring New York City back into America, and convince even high-brow editors that the Constitution of the United States applies to Broadway and Madison Avenue.

Now, let us see who is the prophet!

The mobilized army of booze, as it passes in review before us, appears to be composed of the following battalions:

First, the supposedly defunct brewery interests, a very large percentage of which is said to be sufficiently equipped to begin business on a moment's notice. Second, a wet press which, according to one of the leading wet advocates in this country, is glad to print "stuff" prepared in the offices of liquor organizations. Third, the Association Against the Prohibition Amendment, largely financed by certain wealthy men (5) many of whom not only want liquor back for personal reasons, but are most anxious to substitute for the Income and Corporation Tax, which comes out of their pockets, a tax—of 3 cents a glass on beer—which will come out of the wages of the working man and the household budget of his wife (6).

To these must be added three other groups. Their appointed task is not so much to oppose prohibition as to convince the public that prohibition cannot be enforced. They are the defeatists. Probably a majority of them are not only wet in sentiment, but wet in practice to the extent that they patronize the bootlegger and so help make more plausible the defeatist propaganda which they so zealously spread. They maintain that prohibition cannot be enforced and to prove it they lend active support to the criminal whose business is to break the law.

This does not mean that everyone who opposes prohibition is intemperate. One of the most deplorable aspects of the anti-prohibition movement

is that some very high-minded and entirely disinterested people, who ought to line up resolutely on the side of law and humanity and against the criminal liquor traffic, are lined up instead with the bootlegger, the crooked politician and the brewer. They are not numerous, loudly as the wet newspapers may shriek that they are legion. Nine out of every ten wets are either financially interested or thirsty; but in all justice it must be confessed that a certain percentage of that ignoble army is composed of splendid men and women, who, for a variety of reasons, have allowed themselves to be enlisted in a cause against which their fine sensibilities and intelligence must unconsciously be in revolt.

The first of this defeatist group are the repealers. "Repeal the Eighteenth Amendment," is their slogan. They have read their newspapers and magazines not wisely but too well. The "stuff" prepared in the offices of the anti-prohibition organizations has been swallowed whole. They have read the magazine articles bearing the names of distinguished politicians and ex-politicians, but in reality written by the special publicity men who eat at the brewer's table. Someone told them of a wild party given by high-school students where "my niece and the boy she went with were the only ones who were not dead drunk." "It's a crime the way prohibition is increasing drinking," they maintain. "It was

slipped over. The poor man is robbed of his wholesome beer and wine. Don't you read in the paper about the awful conditions in Chicago? Prohibition is a crime. Get rid of it as soon as possible. It can't be enforced, it can't be enforced . . . enforced . . . can't . . . enforced . . .'' and so on until the train pulls into the station and everyone leaves the smoking compartment.

Fortunately, this species of defeatist is the most harmless of all. He belongs in the same category with the baby who cries for the moon, and his prospects of ultimate satisfaction are about as bright. To repeal the amendment would require in the first place a two-thirds wet majority in both Houses of Congress, and both House and Senate today are more than two-thirds dry. It will take a powerful lot of work to force the number of this dry aggregation down below thirty-three per cent, especially since the 1928 election was not too comforting to the wet national leader, and the 1930 election increased the wet voting power of Congress very little. Even if a resolution of repeal could be passed by Congress, it would have to be ratified by thirty-six states. Thirty-three states adopted state prohibition before the Eighteenth Amendment went into effect. Thirteen dry states, by the failure of one of their legislatures to ratify, could prevent the Eighteenth Amendment from being taken out of the Constitution.

The prospect of repeal, therefore, cannot appear very alluring even to those who desire it most.

The second group of defeatists, who serve wet associations well, is made up of those who frankly counsel nullification. Says Mr. Walter Lippmann:

Only those who have read American history through rose-colored glasses will be shocked at this prospect (nullification). This is a normal and traditional American method of circumventing the inflexibility of the Constitution. When the Constitution has come into conflict with the living needs of the nation, and when amendment was impossible, the method of changing the Constitution has been to change it and then get the very human Supreme Court to sanction it. . . .

The moral is plain. If liquor is legalized in the states which desire it, all that is necessary to make it constitutional is for the Supreme Court, bowing to public opinion, to find by the proper reasoning that the states are not violating the Eighteenth Amendment (7).

"When the Constitution has come into conflict with the living needs of the nation, and when amendment was impossible . . ."

"The living needs of the nation," according to Mr. Lippmann's reasoning, appears to be the return to power of the liquor traffic, almost ninety per cent of which is already organized and ready for business. The Constitution can be amended

whenever a sufficient number of people want it. Mr. Lippmann's words reveal the determination of a wilful minority to have their way, regardless of the will of the majority. "Obey the law if it suits you," says Mr. Lippmann in effect, "and if it doesn't suit you, then work things around until you get what does suit you legalized."

Fabian Franklin, in *The A. B. C. of Prohibition*, says:

No, besides enforcement and repeal there is another course. Call it nullification if you will; there are times when a course for which we have perhaps no better name than nullification is the only remedy for intolerable evil or intolerable wrong. . . . Either Congress must give us relief . . . or we must continue to have the nullification we now have by the spontaneous actions of tens of millions of individual Americans, from the Atlantic to the Pacific and from the Great Lakes to the Gulf (8).

It would be well for Mr. Lippmann and Mr. Franklin to reread their American History and observe what the American people in the past have done with nullification and nullificationists. They have repudiated both. Stephen A. Douglas led the forces of nullification seventy-five years ago and Abraham Lincoln the forces of law. The American tradition makes no place for nullification. There is reason to believe that in dealing

with the liquor problem the American people will not depart from their traditional policy.

The third group of defeatists is the modificationists, and these are the real enemies of prohibition. Their object is to persuade Congress or the Supreme Court to call black, white. The Eighteenth Amendment prohibits the manufacture and sale of intoxicating liquor. Many years ago, when the United States Government *asked the distillers and brewers* to define intoxicating liquor in order that the government might know how to deal with cereal beverage manufacturers who were making a product which the liquor interests declared was intoxicating, the liquor makers themselves, after consultation together, decided that a beverage containing more than one-half of one per cent alcohol was intoxicating. They did this for their own protection. When the Volstead Act was passed, Congress simply decided to continue the liquor traffic's judgment on this matter as the established policy of the government.

Now the industry which defined what intoxicating liquor is pretends to believe that such definition is absurd. Intoxication should again be defined by the liquor interests, they maintain, but this time for an entirely different purpose than before. Then it was to restrain competitors; this time it will be for the purpose of selling more liquor.

The definition of intoxication is to be left to the

states, which, of course, is precisely the same system we had before the Amendment was adopted. The Amendment is to stay in the Constitution just as before, but each state is to be given the right to legalize what the Amendment prohibits. If the people of Kansas do not want to legalize it, well and good—that's their funeral. But this proposal, if enacted, will let New York, New Jersey, Connecticut, Pennsylvania and Massachusetts respond to their thirst, and that is the only matter of importance in the eyes of the modificationist. The plain meaning of the Constitution is to be disregarded in the interest of appetite.

Ex-Governor Alfred E. Smith is the chief protagonist of the modification group, and in a speech in referring to his acceptance address he said:

I recommend an amendment to the Volstead Act which should contain a sane and sensible definition of what constitutes an intoxicating beverage, because upon its face the present definition does not square with common sense or with medical opinion. Each state could then provide for an alcoholic content not greater than that fixed by Congress.

It must be borne in mind that the Eighteenth Amendment does not prohibit alcoholic beverages, it prohibits intoxicating beverages. And no sensible man can truthfully be prepared to say that one-half of one per cent of alcohol constitutes an intoxicant.

I firmly and honestly believe that a great deal of the dangerous and poisonous hard liquor would be driven out of this country if the people could be assured of an alcoholic beverage declared by common sense and by science to be non-intoxicating (9).

This was the platform upon which Mr. Smith ran and carried eight states.

Mr. Hoover ran on a straight dry platform and carried forty states.

Mr. Hoover received 444 electoral votes and Mr. Smith received 87 (10).

From the wet and dry standpoint the situation was but little altered by the 1930 election. It is true that the Democrats rose in both Houses of Congress from a position of a distinct minority to such a place of power that it will not be known until December 1, 1931, when the new Congress meets, which party is really in control. But this was a Democratic victory and not a very serious wet victory. There were 435 members in the House of Representatives. The wets increased their strength in this branch by about 25 members. This constitutes slightly more than a 5 per cent gain, and that opponent of prohibition is indeed optimistic who can call this a wet landslide. Of the 35 senators elected in 1930, 29 were dry and 6 wet.

Yet the wets maintain, and are persuading certain otherwise intelligent people to agree with

them, that modification of the Eighteenth Amendment is the will of the people.

One of the most important things for anyone, who really wants to make an honest decision as to the will of the American people on prohibition, to learn is how to weigh ballots against buncombe.

Under a constitutional form of government, ballots in the end always "have it."

On January 20, 1931, the report of the National Commission on Law Observance and Enforcement, better known as the "Wickersham Commission," was made public. President Hoover had appointed the Commission nineteen months previous to that time and had laid upon them the task of instituting "a thorough inquiry into the problem of prohibition under the Eighteenth Amendment of the Constitution and laws enacted in pursuance thereof, together with enforcement of other laws."

The expectant public was, on the whole, amazed and bewildered by the report. The Commission appended to the report twelve recommendations which for the most part confirmed the contentions of the prohibition supporters. They went on record as being opposed to any change in the Eighteenth Amendment, to the restoration in any manner of the legalized saloon, to the Federal or state government going into the liquor business, or to the manufacture of light wines and beer. They stated that, while prior to the enactment of

the Bureau of Prohibition Act in 1927, the agencies for enforcement were badly organized and inadequate, and further, that while there was no adequate observance on enforcement even yet, nevertheless, they were of the opinion that since 1927 there had been a continued improvement in observance and enforcement. They recommended that appropriations be substantially increased and ventured the opinion that the cooperation of the states was an essential element in the enforcement of the amendment.

Conclusion Number 10 was to the effect that the Commission was very seriously divided in its opinion as to the enforceability of the Eighteenth Amendment.

The circumstance which caused such widespread surprise and bewilderment was the fact that a commission signing such a dry report should have been made up of members, six of whom in their individual reports indicated that they were in favor of some sort of modification. Senator Morris Sheppard, father of the Eighteenth Amendment, said in an article a few days after the publication of the report that

with nearly all the members of the Commission opposed personally to the present system, they could not in all conscience decline to sign a combined report officially supporting, and entirely consistent with the perpetuation of, the present system . . .

representing the moral sense and the permanent determination of the majority of the American people (11).

What seems to have happened is that the commissioners brought to their tasks very confirmed opinions on the matter of prohibition, and eighteen months of investigation did little to change these opinions.

The Saint Louis Post-Dispatch says:

The Wickersham Commission's report recalls the company of infantry who were being harangued by their gallant Irish captain just before going into battle. "Bhoys," he shouted, "will ye fight or will ye run?" And the men yelled, "we will!" Mr. Hoover asked the Wickersham Commission, "Are you wet or are you dry?" And, almost two years later, the embattled eleven murmur, "We are."

More will be said later about the individual reports, particularly the report of Mr. Anderson, in which a definite plan is suggested for Federal and state control of liquor. There are certain conclusions, however, on the report as a whole, to which we feel an intelligent examination of the same would lead one.

First, the Wickersham report is an honest report. No one has suggested that it represents anything but sincere convictions. The fact that it is so over-and-above-board is something which must appeal to the American people.

In the second place, it represents a patriotic and unselfish service on the part of eleven citizens. The commissioners have all served without pay, have given most of their time for eighteen months to the investigation which they were commissioned to carry out; and, whether one agrees with the report or not, this type of patriotic service is something the people of America should acknowledge—as the President did—with thanks.

In the third place, the report on the whole constitutes a victory for the drys. The Anti-Saloon League itself could not have been more emphatic than was the Commission in recommending that the present system be given further trial without modification. Indisputable evidence of the fact that the drys gained more by the report than did the wets is to be seen in the indignant statements which many wet leaders have issued since the report was made public. Senator Sheppard's calm and dispassionate review in *The New York Times* of January 25 is in striking contrast with the indignant and sarcastic comments made by Senator Tydings in the same issue of this newspaper. The wets may claim victory, if they care to, on the basis of the individual reports. The victory, however, seems to have put them in a very bad humor.

In the fourth place, probably the greatest contribution made by the Commission is the exhaustive review it makes of enforcement conditions—

not a very enheartening description for any patriotic citizen to read, be he wet or dry. No unofficial organization could possibly have collected as many facts on this matter as did the Commission. Even those who most bitterly denounce the report will have to admit in all justice that the Commission rendered in this connection, at least, a considerable service.

The President's unqualified endorsement of the dry proposals and his frank disagreement with the one wet suggestion contained in the conclusion of the report, constituted a tremendous addition of strength to the dry cause. If the commissioners, individually and collectively, had issued a report bone dry in every particular, but the President had disregarded the suggestions and had transmitted it to Congress with dripping wet recommendations, the anti-prohibitionists would very rightfully have claimed victory. The opinions and findings of the Commission would have been entirely overbalanced by the power and prestige of the President.

The situation, however, was exactly the reverse, and this forms the basis of justification for the dry contention that on the whole the report, in spite of the opinions of the individual commissioners, supports the dry cause and recommends its continuance. Whether the report will ultimately lead to the solution of any fundamental problems or not remains to be seen. It has, never-

theless, done some service at least by stirring up public opinion on the whole subject. The arousal of intelligent public opinion can be relied upon eventually to produce beneficial results.

There are two weaknesses in the Wickersham report, however, almost significant enough to be characterized as fatal. The first is the lack of any strong and aggressive suggestions for the present enforcement of prohibition. It goes on record as being opposed to both repeal and modification and, while it makes many minor suggestions as to the way enforcement could be improved, it offers nothing outstanding or constructive along this line. The public, no doubt, expected too much. Most everyone feels after reading the report, however, that it got too little.

The other weakness of the report is the defeatist spirit with which it is pervaded. It draws a dismal picture of enforcement, tells of the organized defiance of the government and, by inference at least, expresses doubt as to the possibility of ever doing anything but in the end surrendering to these sinister forces. This sort of thing does not go down well with the American public. Most straight-thinking people feel that, if prohibition fails to produce beneficial results after a fair chance at enforcement, it should be repealed; but it is inconceivable that it should be repealed simply because criminal gangs and vested interests have rendered the enforcement thereof extremely diffi-

cult. In other words, the Wickersham report hints at eventual surrender, and "surrender" has never been a particularly popular word in the average American's vocabulary.

This statement is being written less than a week after the publication of the report. Even in these few days, interest in the report has tremendously decreased. It was a three-days wonder.

The Commission recommended that, if it should be found that prohibition could not be enforced, the Eighteenth Amendment should be revised so as to provide that Congress shall have the power to legislate on the liquor question. They proposed that it be given the power to prohibit in those states which so desire and regulate in the states which desire otherwise. This, of course, would be the surrender of the prohibition principles and the return to state prohibition under Federal regulation. One wonders how the Commission could believe that in this day of highly organized crime and quick transportation it would be possible to protect dry states against bootleggers any more effectively than a legally dry nation is protected against them today. If Congress could not enforce the Eighteenth Amendment, what assurance is there that it could any more efficiently enforce a new amendment? An added disadvantage would be that the liquor question would be continually before Congress and, whether liquor was manufactured by private corporations

or by a national corporation under government supervision, the desire to make more money would always be present and pressure would be brought to bear continually upon Congress to make the way more smooth for the liquor dealer. If this proposed amendment were to be put in operation does anyone believe, for instance, that it would decrease drinking in New York, Pennsylvania, or Illinois? All those who now drink would continue to drink, and liquor being accessible at hundreds of legalized places the evil would increase tremendously. The conviction that you can make people more temperate by making liquor more accessible is one of the most illogical propositions that ever received public consideration. We must either prohibit the manufacture and sale of liquor or else be willing to go back gradually to the system we had in the old days.

On all sides there seems to be great dissatisfaction with the report of the Commission. The wets of course would have been satisfied with nothing but the endorsement of their position. The dries were dissatisfied at the suggestion made that prohibition be surrendered in states where it is difficult to enforce. Taken all in all most people seem to feel that the eleven commissioners with pretty definite convictions on the liquor question sat for eighteen months listening to evidence which did nothing but deepen and confirm their original convictions. The chairman, Mr. George Wicker-

sham, seems to have been an exception. He had always been spoken of as a wet. The public was amazed at his individual report, for he asserted that he was not sure but that the present system was the best attainable and "that any substitute for it would lead to the unrestricted flow of intoxicating liquor with the attending evils that in the past were a blight upon our social civilization." Although Mr. Wickersham's report was one of the briefest it was undoubtedly the most cogent and comprehensive of any filed by the eleven members.

The question will probably long remain an open one as to what extent, if any, the report has made any real difference in the consideration of this question.

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CHAPTER IV

ALCOHOL AND SCIENCE

Let us look again at Governor Smith's statement in his Milwaukee speech:

. . . upon its face the present definition (of an intoxicating beverage) does not square with common sense or with medical opinion. . . . I firmly and honestly believe that a great deal of the dangerous and poisonous hard liquor would be driven out of this country if the people could be assured of an alcoholic beverage declared by common sense and science to be non-intoxicating.

That Mr. Smith honestly believes this, no fair-minded person can doubt. As to whether poisonous beverages would be driven from the market by anything but the strict enforcement of the prohibition law is problematical. But to the impossibility of manufacturing an alcoholic beverage which is not intoxicating, all the teachings of modern science earnestly and unanimously testify. The presence of alcohol makes a beverage intoxicating; and experience proves that when people drink an alcoholic beverage it is to get the effect which alcohol produces, and, if they have to drink large quantities of so-called "light liquor" to get the effect, they will do it.

Ex-Governor Smith in his complaint that the present definition of intoxicating liquor—that is, liquor containing more than one-half of one per cent of alcohol—“does not square with common sense or with medical opinion” is unqualifiedly mistaken when his complaint is viewed in the light of scientific research and medical practice. The fact that it does square—and squares so perfectly with the most accurate information which the laboratory discloses—constitutes one of the most disconcerting and annoying situations which the wets have to confront.

The dictum of science on alcohol today is very different from that of fifty years ago. When Oliver Wendell Holmes, who was a great doctor as well as a great poet, was asked if alcoholic drinks act as a food and also as a medicine, he answered without hesitation, “Of course” (1). A professor of anatomy of that time made the statement, “I presume it is very well known to the public, the intelligent public, *as to physicians in general*, that in many cases of threatened consumption ardent spirits is not infrequently used” (2). A widely known chemist, connected with a Class A medical school in the late seventies, made the statement:

Alcohol takes the place of so much food in our bodies in the processes of respiration. The carbon and hydrogen are oxidized and removed from the system and thus save the

consumption of just so much of our tissues. Brandy contains ænanthic ether which stimulates the heart. Whiskey contains fusel oil which operates upon the lungs and also upon the liver. Gin stimulates especially the kidneys (3).

A professor of chemistry at the Harvard Medical School at about the same time stated that "alcoholic drink acts as food in the same way, for instance, that beef and tea do;" and the teacher of *Materia Medica* at the same institution maintained that alcohol serves to arrest "the disintegration of tissue. It aids in the constructive work of the system and consequently enables more food to pass into the system" (4).

Strange as such statements may sound in the ears of modern men acquainted with the latest findings of experimental science, they represented, fifty years ago, the most authoritative utterances on these matters. Most people believed that alcohol was a healthful, life-giving substance except when used in excess. Even the temperance people believed this and were opposed to liquor, not because alcoholic beverages were wrong *per se*, but because they so readily led to abuse. Whiskey and other ardent spirits were universally considered household remedies, and wine with one's meals, if it could be used temperately, was considered a food and an aid to digestion. Beer was supposed to contain a great deal of food value, and

for this reason it was often prescribed for "weak people."

How completely both the popular and the scientific opinions of our day differ from all this, due to cold, unbiased research into the exact properties of alcohol! Says Dr. Arthur Dean Bevan, Professor of Surgery in Rush Medical College, and former President of the American Medical Association:

Viewed from the standpoint of modern scientific medicine, alcohol belongs to the group of narcotics which consist of alcohol, ether, chloroform, chloral and similar drugs such as sulphonal and veronal. . . .

(Alcohol) produces arterio-sclerosis of the blood vessels and cirrhosis of the liver. For many years alcohol was prescribed in cases where individuals were suffering from different forms of infection. Modern scientific medicine has shown that alcohol does not assist the body in resisting infections but that it makes the individual much more susceptible to infections. This is particularly true in pneumonia, where careful observation has shown that the individual who drinks even moderately becomes much more easily the victim of pneumonia than the man who does not drink at all.

Alcohol has little place in modern scientific medicine as a therapeutic agent. At the Presbyterian Hospital in Chicago, where we take care of more than twelve thousand patients a

year, we have not yet prescribed, through the drug room of the hospital, a single bottle of alcoholic liquor since the passage of the prohibition amendment, and this is not due to any regulation against the use of alcohol. Any of the attending medical men has the privilege of using alcohol if he sees fit in the handling of his cases. It is due to the fact that there is little or no logical or scientific reason for the internal administration of alcohol in the modern treatment of disease. . . .

Its only use, outside of the external use, in modern scientific medicine is found in cases of individuals who are chronic users of alcohol and who are brought to the hospital suffering from some accident or some disease in which a moderate amount of alcohol is continued for a time in order to prevent the development of delirium tremens.

My experience in the practice of medicine in Chicago covers the period from 1894 to date. I have never had any fixed opposition to the use of whiskey in medical practice, but I have never employed it, or seen it properly employed, except in just such cases as I have cited (5).

The Life Extension Institute of New York City is an organization directed by a group of well-known physicians, public health authorities and scientists. Dr. Eugene Lyman Fisk is medical director of this organization. In a pamphlet which the Institute issued some time ago occurs this statement:

Alcohol is essentially a drug and not a food. It always fails to pass some test by which a true food is measured. The fact that small quantities are found in the body as the result of digestive and other activities is the best possible reason for caution in taking it into the body as a beverage. There are many substances formed in the body, some of which, like alcohol, must be destroyed by the liver or carried off by the kidneys. But that is no reason why we should drink or eat these poisons and impose a further burden on our organs (6).

Dr. Arthur R. Cushing, Professor of Materia Medica and Pharmacology in the University of Edinburgh, has this to say about alcohol:

Even the smallest quantities of alcohol tend to lessen the activity of the brain, the drug appearing to act most strongly, and therefore in the smallest quantities, on the most recently acquired faculties, to annihilate those qualities that have been built up through education and experience, the power of self-control and the sense of responsibility (7).

Walter R. Miles, formerly of the Carnegie Institution of Washington, carried on very exhaustive tests at that institution by which he attempted to measure the effects of alcohol on mind and body. His findings are published under the title, *Alcohol and Human Efficiency*. The results of the experiments described in this ponderous work can be

judged from one of the closing sentences of the book:

There is no longer room for doubt in reference to the toxic action of alcoholic beverages as weak as 2.75 per cent by weight. If 27.5 grams of alcohol are taken in this form, the well defined and measurable depression in physical and mental processes, judged within the limits of this investigation, is not far short of the result found when 21 to 28 grams of alcohol are taken in solutions varying from 14 to 22 per cent (8).

In 1921 the British Medical Research Council was invited by the Secretary of State for Home Affairs to reappoint a committee of physicians and scientists to study the physiological effects of alcohol. In the committee's report, a publication called *Alcohol: Its Action on the Human Organism*, these distinguished British scientists and medical men bring against liquor the most damaging and unanswerable indictment possible.

I have quoted these different authorities in order that no reader may feel that alcohol is simply condemned by parsons and professional reformers, or that statements against its use as a beverage are simply issued by well-meaning, but entirely irresponsible people. The physicians and scientists quoted are leading authorities, and many volumes would be needed to contain the similar statements and reports made by equally eminent

doctors and published by *bona fide* scientific organizations. The scientific world has turned thumbs down on John Barleycorn, M.D., former dispenser of all sorts of remedies for pale, weak people; and on the good old John who brought such innocent merriment into the world; and on the helpful Brother John who got under the load of the overburdened man and turned many a day of exhaustion into one of thrilling achievement. Science has shown up the old rascal as a fraud. He peddles not a stimulant, but a depressant; not a food, but a narcotic; not a commodity which brings happiness, but one which, after a short season of exhilaration, produces such reaction that men hold their heads and call for cracked ice. He stands today with only a few friends in medical circles, and among these are the doctors who issue 100 pints of whiskey every three months to the poor ailing folk who throng their offices and are ready to pay a good fee for such helpful service.

These are the modern descendants of the old doctor mentioned in the nursery rime:

Dr. McSwattle filled up a bottle,
With vinegar, varnish and rum,
And he offered a swallow to all who would follow
The sound of his fife and his drum.
“It’s good,” he said, “for a pain in your head,
And good for a pain in your thumb.”

There are enough Dr. McSwattles in the U. S. A

at present to lead Dr. Bevan to refer to them as a disgrace to their profession.

The fact has already been mentioned that alcohol is not a stimulant, but a depressant. This discovery is probably the most surprising that the modern laboratory has disclosed with reference to this particular study. If there was one thing of which everyone was sure fifty years ago it was that alcohol was a stimulant. It apparently produced the results which a stimulant usually does. It increased the heart beat, caused a warm glow to diffuse the surface of the skin almost immediately after taking, and above all gave one for the time being a decided feeling of added strength and well being. How could anyone doubt that this drug was a stimulant?

Scientists began to doubt it after the effects of alcohol had been carefully observed and measured in the laboratory. *Then the astounding fact was revealed that above everything else alcohol is not a stimulant.* Its chief characteristic is that it acts as a depressant upon the nervous system. It is a narcotic, a depressant, a habit-forming drug (9).

Dr. Ernest H. Starling, Foulerton Professor of the Royal Society and late Jodrell Professor of Physiology in University College, of London, has said:

Very rarely therefore can we be justified in administering alcohol as a food. Its value

in a diet is chiefly that of an accessory or adjuvant in exciting appetite by its taste and smell, an advantage largely counterbalanced by the danger of introducing a poison into the body which on long continuance and taken in sufficient quantity tends to set up various degenerative changes in the tissues; and if taken in a large dose at one time, it causes a temporary abolition of those processes of inhibition and control which have been the determining factors in the survival of the race throughout the struggle for existence (9a).

The effect of alcohol upon the heart is most interesting. The heart is a large muscle which beats with regularity because of an inherent power in its specialized muscle and nerve tissue. Its rate is controlled from the brain, however, through special nerve fibers. Alcohol seems first to paralyze this control mechanism which normally restrains the heart action. Then, to express it colloquially, the brakes being taken off, the heart starts to beat faster. That which is undoubtedly a depressing effect thus gives all the appearances of stimulation. The result of the drug is not renewal of strength but paralysis.

Scientists tell us that the brain has been long in the making, that its lower levels, if we may use that term, have to do with muscle movements and the basic emotions and impulses, while its most recently acquired centers are those which have to

do with the higher intellectual activities and control. The junctions between the nerve cells are known as synapses. In the pathway of the lower levels of the brain, those which subserve the functions first developed in the individual and the race, these points of junction seem to be relatively firm and open to the passage of nervous current; while the points of junction in the centers which were later developed are not so firm, and therefore do not afford the same easy passage of nervous energy. Since alcohol is believed to act equally upon the whole nervous system, these weak junction points are naturally the first to give way, or rather be paralyzed; and thus the result is that the higher intellectual functions are the first interfered with (10).

Says the British Medical Research Council:

Now of all the intellectual functions, that of self-criticism is the highest and the latest developed. . . . It is the blunting of this critical side of self-awareness by alcohol, and the consequent setting free of the emotions and their instinctive impulses from its habitual control, that give to the convivial drinker the aspect and the reality of a general excitement (11).

Thus says the scientist, which in common parlance means that the first result of drinking is the loss of self-control, and the adjournment of one's ordinary judgment and sense of the fitness of

things. The partaker of liquor does not first begin to stagger and later to talk incoherently; he first begins to mispronounce words, laugh somewhat immoderately at almost every statement, handle everything in a clumsy fashion, talk loud and incessantly and in general make a fool of himself. In this high-powered age a slightly intoxicated man is just as dangerous as, and probably more dangerous than, a thoroughly drunken man. The drunken man is easily spotted and put where he can do no harm, but the man who has had only one or two drinks gives no public evidence of the fact that certain very important mental and physical functions have been temporarily interfered with.

The statement has been made:

The brain signal to put on brakes takes about one-fifth of a second to produce effect. One drink of liquor slows this operation to two-fifths of a second, and in that time a car going thirty-five miles an hour will travel twenty feet, which is considerably more than the margin of safety in many automobile situations (12).

So much for the effect of beverage alcohol on the individual and the race. Let us look for a moment at the new place alcohol holds as a factor of production in the modern industrial world.

When one examines the records of the withdrawal of ethyl alcohol for denaturation from the

denaturing plants, he is likely to be shocked. In 1915 there were about 25,500,000 proof gallons withdrawn. In 1930 there were about 105,000,000 proof gallons withdrawn (13). Is this a sign of corruption in the administration of the prohibition law, or any index of the amount of liquor which is being consumed by the general public in these supposedly prohibition days?

Not necessarily. Alcohol is playing a new rôle in modern life. For centuries it was used only as a beverage. Today its greatest use is in the manufacture of hundreds of useful articles. It is used, for example, in making paint, varnish, shellac, artificial silk, billiard balls, furniture, ink, shoe polish, motion-picture films, perfume, toilet water, hair tonic, artificial leather, lipsticks, gas mantles, and embalming fluid (14). Thirty-five million wine gallons of completely denatured alcohol were poured in a recent year into automobile radiators alone (15).

We read in the Bible that the time will come when swords will be hammered into plowshares, and spears into pruning hooks. The time has actually arrived when the modern world has begun to turn cocktails into rayon silk, and highballs into disinfectants. Alcohol as a beverage has no place in this modern, mechanical, scientific, efficient and high-powered age. Alcohol as a factor in modern industry is every day becoming more important. The world has been suffering from a delusion out

of which it has but recently been delivered. It was once universally believed that alcohol was intended to be used internally. Instead of the label "For internal use" the modern, scientific world has quietly but firmly insisted on substituting a label bearing the announcement, "For *external* use only. Poison if otherwise used."

The old soak, the country-club habitu  , the society matron and occasionally a minister or bishop may protest and jibe about this all they please. Alcohol as a beverage has had the death sentence passed upon it, not only by the voters, but by the scientists; not just by parsons, but by doctors; not only because a drunken man is a nuisance, but because in this machine age he becomes a positive menace. As years pass there will be more and more alcohol produced, not to pour into gullets, but to pour into radiators; not to give the fashionable a thrill, but to give the whole world many articles of value that will add much to the comfort and significance of life. Old J. B. is dead, and if enough good men and women can be persuaded to take turns sitting on the coffin lid, even the United States Brewers' Association will be compelled at last to acknowledge the validity of his death certificate.

The mind of man has at last begun to compass the plain, simple fact that alcohol belongs not in the human stomach but in the manufacturer's storage tank.

This leads us to consider the matter of poisoned liquor, and deaths from alcoholism. Is it true that the government is trying to kill off drinkers as the best method of enforcing the Eighteenth Amendment? Does the present method of denaturing alcohol work an injustice to the country at large?

Not in the least. The death of any man is to be deplored, even though his death occurs as the result of his attempt to break the law. But the denaturing of alcohol so as to render it unfit for beverage purposes is something which industry has long required for its own protection. It was not something which came in with prohibition. The denaturing of alcohol is a practice of long standing, and the United States is not alone in this practice. It is done both to protect the government against tax evasion, and to make sure that the alcohol a manufacturer buys for the purpose of making an article will be used for that purpose.

Here is an artificial silk mill, for instance, using—as one such plant actually does use—over 2,000,000 gallons of denatured alcohol a year (16). Suppose that a 10,000-gallon tank car of pure alcohol were to be put on the railroad siding of this mill. Is it not perfectly apparent that the difficulties of getting anything like the full amount of this alcohol into the mill for manufacturing purposes would be well-nigh insuperable? Fifty state troopers with machine guns would have to stand guard over the tank car; and if the entire

contents of the car by any chance should get within the mill, many employees would find ways for carrying off a few ounces for private consumption. The government has to make industrial alcohol so unpalatable and dangerous as to render it unfit for drinking, in order to protect the manufacturer from being systematically robbed.

When a year or so ago the wet press began to advocate "safe" methods of denaturing—which in reality would have permitted easy re-distillation and the quick diversion of much industrial alcohol into the bootlegger's vat—many prominent manufacturers in the country, who depend upon alcohol in the production of their goods, became very much alarmed and urged the government to make no change in its formulæ.

Fortunately, though, for both the drinker and the government, a denaturant has recently been found which makes alcohol too offensive to be drunk, but does not produce any effects other than extreme nausea. The government has begun the use of this denaturant which, if it ultimately proves successful, will largely solve the problem of "poison liquor."

A bootlegger who puts poison in his liquor should receive the same sentence as anyone else who commits murder or throws acid in the eyes of an enemy. The way to get rid of poison liquor is to enforce the law against all liquor. The worst

possible thing which could ever happen to the morale of America would be to give in to the bootlegger and his patrons by giving legal sanction to their criminal acts.

Many people, however, who oppose the sale of so-called "hard liquor"—whiskey, gin and rum—feel, and many of them honestly, that to allow the sale of light liquors such as wine and beer would greatly aid the cause of temperance. Thomas Jefferson, who was one of the most outspoken enemies of liquor in his day, made this suggestion early in the nineteenth century. He never lived to see his proposal tried out, and so was spared the chagrin which must have been the Duke of Wellington's, who made the same proposal in England and did live to see it put into operation. The Duke, in the face of what seemed to be a perfect delirium of drunkenness among the people of England, suggested the free sale of what at that time was called by some, "a moral species of beverage," namely, beer. When the law was passed, the venerable hero avowed that he was more proud of his connection with this measure than he was of his notable military achievements. After a trial of four years the Select Committee of the House of Commons reported:

The Act, without destroying a single public house, against which the bill was intended to operate, has added 50,000 still more baleful

houses to the list of temptations so baleful to the people (17).

Those who had supported the bill most ardently joined at last in its repeal. As one of the magistrates remarked, it had "done more to brutalize the British laborer . . . than almost any measure that could have been devised."

Now bear in mind that you have read here an account of a situation, not a statement of a theory. It sounds all very well for men of prominence like ex-Governor Smith to speak with such assurance of the beneficial results which would ensue if light liquors could only be substituted for hard. But this is by no means a new proposal. It has been tried more than once—not only in England, but here in America—and without a single exception the licensing of beer in the interests of temperance has resulted in widespread drunkenness and corruption. From the days when the Egyptians made beer in their so-called "grain-wine manufactories" along the Nile until the last days of the saloon in the United States, this beverage—regarded by some as a temperance drink—has been the chief source of social degeneration in the countries where it has been used.

The same, of course, is true of wine. The sophisticated traveler returns from Europe with the glib statement that he saw no drunken men all the time he was on the Continent, and concludes

that the drinking of wine by the Europeans develops a temperance which this country is supposed so decidedly to lack. The next time anyone makes that statement in your presence, ask him if he spent much time in the wine shops and cafés at night; and if he did, ask him how many of the patrons he would estimate were cold sober after 9 P. M. Ask him, furthermore, whether he examined any data on the amount of actual alcohol consumed per capita by the people of Europe. He would have found that the per capita consumption exceeds that of America in her wettest days, and that the supposedly harmless custom of drinking wine and beer is producing, in France and Germany especially, a condition of alcoholism that is alarming to the far-seeing leaders of these countries.

France, a wine-drinking country, consumes almost three times as much absolute alcohol as Great Britain. America, in her wettest years, consumed about 22 gallons of liquor per person. Comparing almost the same periods in France and the United States, the fact is disclosed that France consumed about 59 gallons of liquor per person each year. The wine-drinking Frenchman is the most pronounced alcoholic in the world, with the Italian and Spaniard following close at his heels (18). People have the idea that alcoholism is caused by hard liquor. As a matter of fact, with but few exceptions, alcoholism is more pro-

nounced in wine-drinking countries than in countries addicted to beer and hard liquors.

Beer drinking belongs in the same category as wine drinking. It is simply a homeopathic way of getting drunk. Not everyone who drinks beer gets drunk, but everyone who wants to get drunk can fulfill that lofty ambition without resorting in the slightest to the use of hard liquor. Many of us have so often seen men in college drunk on beer that when anyone tells us that beer is a temperance drink we are at a loss to know whether to classify him among the idiots or the born liars. I still have in mind the picture of a group of college alumni one Sunday evening after a three-day reunion. A colored jazz orchestra was playing at the reunion headquarters, and about twenty men, of those who had stayed over to see things through to the end, were loitering about. Practically all of them were in a maudlin state. A few had "passed out." Several were lying under a table, and one was sprawled out on the top of a table. These men were drunk simply because they had been soaking up all the *beer* they could lay hands on for three days, and to all appearances they were as drunk as gin, whiskey or rum could possibly have made them.

Don't tell the graduates of eastern colleges that people do not get drunk on beer. Regardless of all that may be said against the intelligence of the college bred, most of them have sense enough at

least to give a statement like that its proper classification.

Alcohol is a depressant, a protoplasmic poison, and whether one takes it often in 4 per cent solution (as in beer), or less often in 42 per cent solution (as in whiskey), the result in the end is the same. It was not the Anti-Saloon League which made this discovery, but physicians in the routine of practice and men of science in the research laboratories. The plea for beverages containing alcohol but "not intoxicating in fact" is contrary to both common sense and science. It is the plea of the thirsty and the avaricious, aided and abetted by the uninformed and the sentimental.

Wherever alcohol is, there is potential intoxication; and wherever it exists potentially, there will be gathered eager multitudes ready to take any steps necessary to turn the potential into the actual.

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CHAPTER V

THE OLD DAY OF THE SALOON

The "spontaneous revolt" against prohibition is, as we have seen, nothing but the carefully engineered propaganda of the old liquor industry—still largely intact—working through numerous wet organizations. When a dry candidate for President was elected by the most overwhelming majority of recent times, the liquor industry realized that four or eight years with this man in office would probably render the return of liquor impossible. They set about, therefore, to discredit the administration, encourage the breaking of the prohibition laws, and, by wide newspaper publicity and the broadcasting of statements of prominent citizens, to convey the impression that prohibition cannot be enforced. Doubtless it would be a wonderful thing, they say, if liquor could be swept out of existence; but that is impossible. The craving for alcohol is too deeply embedded in the nature of man to be set aside by legislation, they continue; prohibition simply cannot be enforced.

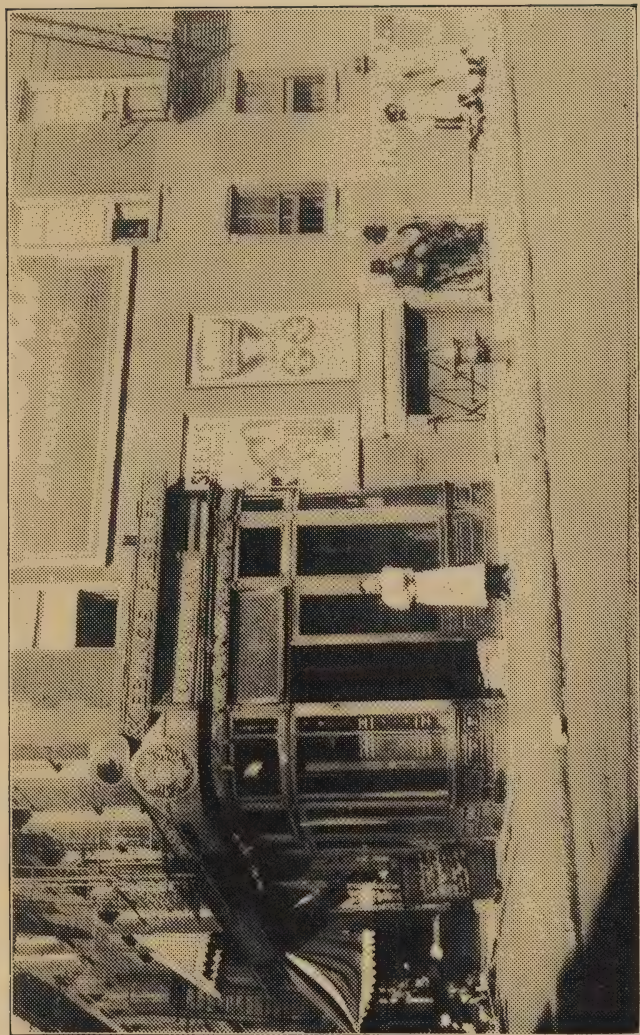
The idea of the wets has been first of all to weld into a determined fighting unit all the people who never wanted prohibition, but who accepted it in 1920 because there seemed to be nothing else to do.

In addition they have turned heaven and earth to enlist the high-minded, reasonable type of person who wants whatever is best for the country, but has begun to have some doubt as to the possibility of prohibition enforcement because of the widespread social drinking in well-to-do homes. Within the past two years they have enlisted a large number of such persons and have persuaded them that an unenforced law is a menace to the body politic. By the most amazing lack of logic they have succeeded in leading many people to believe that, if the illegal liquor traffic, now openly flouting the state and national prohibition laws, would only be granted the opportunity to carry on its business with legal sanction, all the disagreeable problems of the present with reference to liquor would be solved.

They are able to do this with some effectiveness for two reasons. In the first place, education in connection with the anti-liquor cause has for the first time in over a century been almost dispensed with. This does not mean that the prohibition leaders have not done all in their power to awake their constituents to the menace of the still-organized liquor traffic. Never has the tocsin been sounded more vigorously than since 1920. But with the adoption of the Amendment the great majority of dry supporters thanked the Lord that the victory was won at last, and dismissed the subject from their minds.

It was this indifference that gave the liquor interests their chance. Through the bootlegger they began the well-organized and systematic breaking of the prohibition law, and as they broke the law they loudly called upon the public to observe that the law could not be enforced. For ten years people have been hearing very little about the true nature of the liquor trade and everything possible about the difficulties of prohibition enforcement. You cannot subject a whole people to ten years of high-powered propaganda and not get some results at least. We are just beginning to reap what we have allowed brewery-financed organizations to sow without challenge for the past ten years. The anti-prohibition outfit has been "educating" the public as never before. The prohibition forces have either been neglecting the educational aspects of their enterprise, or else have been appealing to an indifferent and completely self-satisfied constituency.

In the second place, liquor has been able to make headway the past few years because the evils of the saloon have largely passed out of people's minds. They soon forgot the horrors of war; by the same token they have largely forgotten the old days of the saloon. Fifteen years ago drunken men on the street were numerous; today, they are so scarce that weeks sometimes pass without our seeing even one. Yet in spite of this we are told that conditions today are as bad,



"THEY'RE DRINKING MORE NOW THAN EVER."

So say the people who have forgotten the 177,000 saloons operating in the United States before prohibition.



"The Bowery, the Bowery,
They do such things and they say such things
On the Bowery . . ."
That is, they used to when they had open saloons like the above.

if not worse, than they used to be. People soon forget. The days of the saloon were so indescribably wretched that it would seem impossible for men and women to forget them. Yet, in many cases, they have.

We will never have prohibition in any satisfactory manner until we succeed in revisualizing the old saloon and getting well into our minds that any place used for the dispensing of alcoholic liquor is a saloon, no matter by what sweet-sounding name it may be called. The politician who piously disclaims any desire to see the return of the saloon, and then in the next breath suggests that liquor be brought back under state control, is either spreading propaganda or talking nonsense. Where alcohol is served as a beverage there is a saloon, whether served in four per cent or forty-two per cent solution. The attempt to turn the hatred of the public from alcohol to the place where it was served would be ridiculous were it not very dangerous and sinister. *The saloon was not the cause of anything, it was the result. Alcohol was the cause.*

What a place the old saloon was! Such a new world has grown up around us since 1920 that even those who have suffered most from its evils recollect them only as a bad dream. I should imagine that the little industrial city in western Pennsylvania in which I was born and reared was about typical of most American cities of the same

size and of villages also. There were two saloons straight across from the railroad station, another one block south, and two wholesale liquor stores within two hundred feet of the station platform. Along the main street were any number of them, now the homes of all varieties of legitimate and prosperous types of business. As one walked along any of the streets in that city, except in the exclusively residential section, the stench of sour beer and the pungent odor of whiskey floated out from behind the swinging doors. There was a saloon at every mill entrance in the town, and as the men came from work literally thousands stopped in these places, some to get a glass or two of beer, others to get drunk and stagger at midnight to a squalid and wretched home. The mill worker in those days was an industrial slave.

Just a few weeks ago I stood looking down into a mill yard from which the men used to throng at the close of the afternoon turn and many headed for the saloon. Although the men in this mill were always well paid, probably not five per cent of them had automobiles ten years ago. On this particular afternoon I arrived at the mill yard after most of the men had left. Nevertheless, I counted two hundred automobiles parked there. Hardly a common laborer in that plant considers himself too poor to own at least a second-hand model-T Ford.

Two wholesale liquor dealers dominated our

city when I was a boy. To think of getting a public office unless endorsed by these two men was to meditate the impossible. The superintendent of one of the industries of the city happened one day to be sitting in on a political meeting where candidates were being discussed by some of the leaders, among them these two wholesale liquor men. The superintendent held one of the most important positions in the city. He ventured, at one point, to express an opinion that did not entirely suit one of these liquor bosses, who thereupon turned to the superintendent very much annoyed and said gruffly, "Young man, for God's sake shut up and stay shut up."

This was told about the city and was considered quite a joke. So completely did the people of that community accept the domination of these two liquor bosses that for any citizen, no matter how prominent he might be, to differ with either of them was *lèse-majesté*.

There was a large red-light district in that little town of forty thousand, and one brothel in particular caused the city to be as well known throughout that part of the state as did its chief industry. The dives were under the protection of the police. Early in the morning, particularly on Saturday morning, the wagons of the wholesale liquor dealers began to rattle over the streets, and from that time until the early hours of Sunday morning the drivers were busy delivering to the saloons

and dives. The patrol wagon was busy a great deal of the day, not hauling traffic signs—as the patrol wagons do for the most part today—but taking drunks and the inmates of the dives to the station house. When a dive was pulled it meant either that complaint had become too insistent to be disregarded longer, or that someone had failed to pay protection on time. The scene in Monday morning courts was designed to make one despair of humanity: bleached out prostitutes, old soaks, wife beaters, thieves, pickpockets, vagrants and many times whole crowds of foreigners who had been mixed up in a drunken brawl. Week after week, year after year, the mill ground on. Everybody called the saloon a curse and saw its connection with corruption and vice, but only a little minority opposed the leadership of the liquor bosses; and these generally with words, seldom with votes.

Prohibition is only partially enforced today, but, as I recall that in spite of this months sometimes pass without my seeing more than one or two drunken men on the street, I marvel that within a few years such a stupendous transformation could have been wrought. When I was a boy I saw at least one street fight a week. Since prohibition came in more than ten years ago I have not seen a single street fight. I have a vivid recollection of a very terrifying scene in the yard of a tenement house to the rear of our home. The man

of the house was an habitual drunkard. His wife and son were very industrious and fine people. I can still see the old reprobate—with the neighbors standing in their yards looking on with anger and disgust—being dragged along by the officers, shaking his fist and cursing his family who had been compelled to call for police protection. On Saturday night the streets were full of drunken men, the saloons were crowded, and it would have been unsafe for any woman to be on the streets without an escort. In fact, on any night of the week no woman ever thought of going out alone, not just because it was contrary to the Victorian customs of that day, but because the streets were made unsafe by drunken men.

As I look at that city today, free of its saloons—although not free of bootleggers, if rumor be true—I can scarcely believe that it is the same place I knew as a boy. Prohibition at its worst is undoubtedly better than the saloon system was at its best.

The motion picture and the tabloid newspaper have made the modern bootlegger somewhat of a hero. The old saloon-keeper was indescribably despised by every respectable person in the community. Socially he was an outcast, and generally his family shared the same fate. It was felt that any man so brutally indifferent to human suffering that he would sell and continue to sell liquor to men who abused their wives and allowed their

families to starve, was worthy of nothing but contempt. Sometimes he was a pretty square citizen, good-natured, generous, and willing to keep the law. But this was seldom the case. The average saloon-keeper was about the roughest customer in the community—foul-mouthed, brutal, willing to sell men liquor until they were drunk, and then kick them out on the street when their money was gone. Saloon-keepers often made it a practice to short-change anyone drunk enough not to know the difference. In many cities over half of all the pay checks were cashed at the saloons, and in many cases every cent was spent before the man started home. The saloon-keeper had nothing but curses for the desperate wife who came to plead that her husband be sold no more liquor. She was insulted and told to do her “damnedest,” which the poor creature knew was nothing. When out in Kansas Carry Nation went into saloons with brick-bats and hatchets and not only demolished the equipment but drove the saloon-keepers before her in terror, there went up from the whole country a gleeful roar of laughter over the fact that here at last were saloon-keepers who were getting what was coming to them (1).

Behind the saloon-keeper stood “the liquor traffic”. The capital invested in this traffic amounted to more than 28 million dollars in 1860. By 1910 this capitalization of the liquor manufacturing industry had increased to 770 millions,

or about 13 times the increase in population and about two and a half times the increase in national wealth during these five decades. In 1860 the people of this country were drinking six gallons of liquor per capita; in 1914, over twenty-two gallons. Brewers, distillers, and winers, by 1914, had a net profit of over four hundred million dollars (2). When we add to this the profit of the wholesale liquor men and the saloon-keepers, one can easily see how an industry with such enormous profits could so establish and maintain itself in power.

Some ingenious person has figured out that from 1897 until 1915 the amount spent for liquor in this country alone amounted to more than the entire gold and silver production of the world from the discovery of America down to, and including, 1915. That is, in about eighteen years the drinking public of the United States spent on liquor more than the world production of gold and silver amounted to in almost 425 years (3).

All this money was expended for an article that enriched a few and impoverished many. There was scarcely a leader in American affairs who did not admit that the sale and drinking of liquor was at the bottom of most of the nation's serious problems. We have experienced two depressions since 1920, and occasionally much unemployment; but the abject poverty that one saw on all sides when the saloon held sway has almost completely dis-

appeared today, even in times of depression. The liquor traffic, dominated by a few, but depending upon the uncontrolled weakness of the many, absolutely merciless in its purpose and brutal in every detail of its procedure, stood over American life like a great monster. Today one seldom hears the shriek of abused children. Most people over forty years of age, however, can remember the homes of drunkards in the old days where the entrance of the man of the house was invariably followed by the shrieking of the unfortunate child upon whom he first happened to lay his hand. This was followed by the sound of blows and curses until he was either tired out or separated from his quarry and the humiliated family closed all the doors and pulled down the windows to keep the neighborhood from hearing more.

This was not just something that happened once in a while. In large sections of every city it was anything but unusual. Hardly a family was fortunate enough to have escaped the ravages of drink. Usually there was one member at least who had gone astray. Drinking was common even among professional men. These did not congregate in the saloons—they had their private clubs; and while drunkenness was not as prevalent here as in the lower type of saloon, it was prevalent enough to cause much scandal.

When I was a small child, a kindly, middle-aged lawyer, who passed our house on his way

home, used to stop at our veranda and talk with me in such a pleasant fashion that I grew very fond of him. He was highly regarded for his ability, but I have often heard it said that from morning until night he was "soaked" with whiskey. One day in a half-intoxicated condition, he wandered out into the country, sat down on the bank of a small brook and took off his shoes and socks. Evidently he lost his balance and rolled into the brook as his intoxication increased, for they found him the next morning drowned in a few inches of water.

There was a young man in that same town who, while in high school, began to manifest such unusual ability in mathematics that he became known throughout the city. Without the aid of teachers he studied all forms of higher mathematics. There was even a story of how he had confused and put to shame the county examiner when a test in algebra was being held. In time he became a civil engineer. Then the drink habit got such hold upon him that, after he was forty, he never gave any attention whatsoever to business. He degenerated into a town character, drunk practically all the time; and his cursing and foul language as he walked up the middle of the street to the little home occupied by his splendid mother and two sisters was one of the standing scandals of the community. One winter's night he fell into the snow on his way home and was so badly

frozen when found many hours later that he died within a day or two of double pneumonia.

The saloon was the chief source of moral infection in every community. Behind the saloon was the brewery, and behind the brewery was the whole traffic, very often presided over by men of affairs who stood high in the esteem of their fellows. But the saloon, planted right down on the main street of every city and village, was the institution which touched the life of the common people and pandered to the widespread desire for dissipation.

It is little wonder that, in the drab days before many of the modern inventions had added beauty and color to life, thousands of men sought out the saloon in hours of leisure. It was always well lighted, pervaded with an atmosphere of good cheer, and in many ways interesting to people who had but little in their lives. The mahogany bar was a piece of workmanship worthy of admiration. Countless times every day the bartender wiped it off with a damp cloth, and, in spite of the drinks spilled upon it, the average bar always preserved a remarkable luster. Behind the bar were from one to a dozen bartenders, depending upon the size of the establishment. A great mirror hung on the wall in which the drinkers saw themselves as they lined up at the bar. Every bartender was dressed in spotless white, and it was generally considered good busi-

ness for him to be affable and cheerful with the customers. Very often tables were placed in the barroom, and behind were private rooms in which women frequently congregated. A mechanical piano, a great stove or fire-place, and gaudy chandeliers completed the equipment.

The bartender was everybody's friend. It was to him the workingman poured out the grudge he had against a boss who played favorites. The badgered husband told his domestic troubles to this friend of all men. The young man seeking adventure asked the bartender all about the dives. In many saloons the bartenders had a list of all the houses of prostitution in that district, and could dispense all details of information in which a young blood, pretty well "liquored up," would be interested. Generally the brothels kept someone at the saloons watching for prospective customers. Where this was not the case, an old soak, for the price of a drink, could always be secured as a guide. Gambling was frequently carried on right in the saloon, but more frequently there was an understanding between the gambling houses and the saloons whereby the latter acted as a feeder. Although there was a law against selling to children, saloons—excepting a few—paid no attention to this law; they not only served but encouraged children to drink.

In a meeting of liquor dealers, one of the representatives once said substantially this:

Men who drink liquor, like others, will die, and if there is no new appetite created our counters will be empty as well as our coffers. . . .

The open field for the creation of appetite is among the boys . . . , and I make the suggestion, gentlemen, that nickels expended in treats to the boys now will return in dollars to your tills after the appetite has been formed (4).

They did. Every inducement was offered the young to indulge themselves, and if the Eighteenth Amendment were to be repealed or modified today the only difference in the situation would be that girls would be lined up at the bar as well as boys. Thousands of children in saloon districts started going to the saloon by carrying "scuttles" of beer for drinking parents or for neighbors who paid them. Children were frequently drunk.

That women never drank until recent years is an entirely mistaken idea. It is true that girls from good and respectable homes seldom drank, and high-school dances twenty years ago were never anything but bone dry. But there were literally hundreds of thousands of prostitutes in the old days of the saloon, and commercialized vice without liquor and the saloon was simply out of the question. These women drank as part of their "work." In dance halls, cheap saloons and even fashionable cafes they got a percentage on all the

liquor they persuaded their escorts to buy. In the brothels, beer, which in the saloon was sold for twenty-five cents a bottle, was sold for a dollar; and the girls who could not persuade men to buy lots of liquor were soon turned out on the street. Many prostitutes in the country were tipsy every night by midnight and dead drunk before morning. These habits were started as part of their business and continued at last in a desperate attempt to find forgetfulness in the midst of a wretched life. A prostitute lived on an average of two to seven years after she started her career, and her speedy death was largely due to habitual drunkenness.

The saloon was the center of vice, crime and gambling in every community. Every sinister influence looked to its leadership. When a riot occurred, the first thing the authorities did was to close the saloons. With the saloons out of the community all other forms of commercialized evil tended to disappear.

The idea that liquor can be controlled is absurd. Men who go into that business will obey no law. One hundred years of experience in this country proved that government control means not the control of the liquor traffic by the government, but the control of the government by the liquor traffic. Rotten politics, vice, liquor, crime and gambling always stick together, and none of the others could exist in any formidable measure without liquor.

Robberies and murders were almost always cooked-up in the saloon. The brothel would not have been financially profitable without liquor. Gambling and booze always went together. Worst of all, this lower element presented a solid front in the defense of their interests, and politicians were so afraid of them that they hesitated to enforce the law for fear of alienating their political and financial support.

From 1876 until 1900 the vote for President in this country was so close that politicians of both parties sought the liquor vote on all occasions. This is largely the reason why the saloon became so powerful during this period. Both parties wanted to carry the large eastern states. The liquor crowd was absolutely non-partisan and would always throw its support to the party best serving its interests. On one occasion New York State went for a Presidential candidate by less than 1200 votes, and this sort of thing so terrified the politicians that the liquor crowd generally got about what they wanted, and were able for years to forestall not only temperance legislation, but the enforcement of almost every law on the statute books regarding the conduct of the liquor business.

There were 177,000 legalized saloons in the United States before prohibition. The brewers themselves went on record that "at a very conservative estimate, every saloon-keeper in this

country has ten friends among the voters." This meant 1,770,000 votes. At the very least that number of votes could absolutely be delivered by the liquor interests. Properly distributed, these votes could swing any national election. The brewers knew it, and the politicians knew it also. Bring back liquor in any form today, by repeal of the Amendment or modification either of the Amendment or the Volstead Act, and within three years the American brewer will be swinging elections again, precisely as he did before prohibition.

Unscrupulous politicians came to see that official position, operated in the interest of liquor and its allies, afforded a quick means of getting rich.

Let us look for a moment at certain well-known cases of liquor control of politics in the days of the saloon (5).

In 1905 Mayor Schmitz of San Francisco was seeking re-election. The attention of the nation was attracted to this particular city by the exposure of its almost unbelievable corruption. Schmitz, Ruef and practically all of the city officials were said to be common criminals. They were alleged to have sold immunity to gamblers, criminals, and the keepers of brothels. The great house of prostitution at 620 Jackson Street, which figured so prominently in the report of the Andrews Grand Jury, was a municipal institution. They blackmailed honest citizens, compelled them

to pay tribute, invited criminals of other cities to come to San Francisco and operate, and collected money from every woman plying her trade on the streets.

With public money they tore down an old building not suited for large-scale prostitution, and, at the cost of \$100,000, erected a large brick building containing 140 two-room apartments colloquially known as "cribs." The women paid \$35 a week for rent of an apartment and a share of their earnings to the city officials. It was estimated that the income from this house alone was in excess of half a million a year. Judges protected all these places by granting injunctions against anyone who tried to interfere with them. Places on the police force were openly sold. Murder was committed with impunity. Probably the most shocking aspect of the whole situation was the fact that the Mayor and his associates protected the infamous "nickelodeons" and "penny arcades" to which children and boys and girls of high-school age were invited and ruined.

The distinguished journalist, S. S. McClure, in an article published in his magazine in 1925, thus describes these places:

These wide open resorts were filled with automatic machines which ground out music or exhibited moving pictures when a nickel or penny was dropped into the slot. It would be impossible to describe the pictures in

words that are printable; the sale of such photographs constitutes a criminal offense. . . . (These places) are meant to attract children; and . . . thousands of boys and girls patronize them. Probation officers . . . who have watched these resorts say that young people of both sexes make assignations there, with the assistance of the attendants, and that they have often seen boys go directly from the picture slot machines to houses of ill-fame. . . . (These places) were protected by the municipal administration (6).

As the Andrews Grand Jury Report showed, liquor was behind all this corruption and vice.

Mr. McClure further describes how, in Minneapolis, Mayor Ames and his brother set up a corrupt machine very much like the San Francisco outfit. They released the criminals from the jails and appointed a well-known gambler to operate this "department." Within a short while he had all the criminals divided off into groups with detectives assigned to assist and direct them. A young medical student was placed in charge of all the prostitutes in the city. So systematically were these unfortunate women robbed, especially by the Mayor, who was said to have collected \$100 every two months from each woman, and by the attending physicians, who charged from \$5 to \$20 a visit, that even the criminal element looked with unconcealed contempt upon the avarice of the city officials. Burglars, as they arrived in town, re-

ported to the Chief of Detectives and brought all "swag" to the detective in charge of their particular group for division with the city officials.

We are probably inclined to believe that conditions in Chicago today are something new. As a matter of fact Chicago has always been a lawless city, due, both in the past and present, to the domination of the government by liquor. People point to Chicago today and scoff at prohibition because bootleggers and racketeers dominate the city. But the bootleggers and racketeers are simply successors of the old liquor crowd doing without the law what twenty years ago they did all the time within the law. The proposal of certain reputable and sensible people today is, that, by the repeal or modification of the Eighteenth Amendment or the Volstead Act, we license and legalize the very crowd which now terrorizes one of the largest cities in the country and makes its name a by-word of corruption and crime.

Chicago is still lawless and politically corrupt because Chicago is still wet. The only way to cure the crime situation of Chicago is to turn off the liquor supply. The attempt to "control" liquor in Chicago in 1931 would meet with about the same success which this policy met in 1900.

Crime, vice, rotten politics, gambling and liquor—these are the factors which pander to the human desire for dissipation, and holding all the others

together, feeding them, intensifying them, is liquor. This is not just the judgment of fanatical prohibitionists and professional reformers. Students of American life in the old day of the saloon admitted this without question. Any policeman on the street corner would admit that booze was the cause of most of the city's iniquity. It was the *sine qua non* of commercialized evil.

In 1928 one of the greatest brewers in this country told his associates at the annual meeting of the United States Brewers' Association that beer was sure to come back, and that they should keep up their dues in the organization and under no consideration dismantle or sell their breweries.

Just recall that there are said to be more than 1,000 breweries in this country ready to begin business on very short notice, and that through numerous wet organizations these breweries are filling the newspapers with propaganda, and in every way turning heaven and earth to undermine public confidence in prohibition.

If beer does come back, as this influential brewer confidently asserted it will, over ninety per cent of the old liquor traffic will come back, because over ninety per cent of all liquor sold in the old saloon was not whiskey, or other varieties of hard liquor, but beer. Once beer is brought back, the liquor control of vice, crime and politics is brought back also; and what is now happening in Chicago will happen in every city of any con-

sequence in the land. The non-partisan liquor vote will again be sought by both parties. Liquor-picked politicians will hold every office of importance. The lid will be off; and all the allied commercialized evils, which depend upon liquor for their life, will flourish as they did twenty years ago.

The criminal rings in the big cities are in the liquor business, or closely related to it. Modification means legalizing, licensing and making widespread a type of lawlessness that even in its limited and surreptitious forms today is becoming intolerable. It would be impossible even to estimate the increase in lawlessness that any tampering with the prohibition laws would produce. The hope that modification would diminish lawlessness is vain. It would simply legalize the evils we now have, glaze them over with a respectable veneer and make possible their further extension.

Liquor control has been tried in this and in other countries before. It has always failed. In order that we may appreciate the extent to which high-minded men and women in this and other countries have hoped for control, and tried it in preference to prohibition, the next chapter will deal with these control systems. Modification, state control, dispensary system, and beer and wine are not new proposals. They have been given the test of a long and varied experience, the details of which we shall now examine.

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CHAPTER VI

THE INEVITABLE SALOON

It is well to bear in mind that almost every form of so-called "liquor control" has been the result of compromise between the wet and dry forces. For seventy-five years the great body of dry advocates have been working for prohibition. They have realized that liquor is an evil that cannot be controlled. It must be eliminated. It is the result not of a natural but of an acquired appetite; and the futility of trying to regulate desires which nature never intended human beings to have has long been recognized. The traffic behind such social debasement cannot be regulated. It must be tolerated only until such time as it can be abolished.

By 1850 people had come to think this way about two great national evils—the manufacture and sale of alcoholic beverages and chattel slavery. Seven decades were to pass, however, before the principles of the Emancipation Proclamation could be applied against intemperance.

During this time the struggle against the traffic proceeded along much the same lines in all parts of the country. There would be temperance societies formed. A few areas, generally agricultural,

would go dry under local option. The liquor interests would mass saloons in the vicinity of local option sections and render it so unsatisfactory that either local option was abandoned, or, if the dry sentiment was strong enough, local option might be extended to take in a county. This, too, would gradually prove unsatisfactory. No matter how many counties in a state went dry under local option, the saloon owners simply re-opened their saloons in wet counties and so arranged them that no dry local-option area was ever very far from a source of supply.

When county local option failed, chiefly because of this wet strategy, state prohibition would be proposed as a remedy. When state prohibition was adopted anywhere, the same policy of massed saloons near the border and rum-running into the dry area was resorted to; and this not by a few irresponsible bootleggers, but by the national organized traffic itself—this same traffic that many uninformed persons today want to return again to power by the modification or repeal of the Eighteenth Amendment. Although licensed by the Federal government, and expected therefore to be honest in their business dealings, the brewers and distillers, advised at every step by highly paid attorneys, broke the law without scruple whenever it appeared that they could do so without criminal prosecution.

There is nothing new about present-day pro-

posals of regulation. Regulation has been tried, time without end, and never in a single instance has it succeeded in effecting any permanent good. You cannot trust men who make their living by selling their fellows a narcotic, habit-forming drug. This is not just the theory of a group of rabid prohibitionists. The people of the United States, by the action of forty-six states, expressed this conviction when they wrote the Eighteenth Amendment into the Constitution.

Prohibition was the last of all methods proposed for dealing with the problem of alcoholism. Everything under the sun had been tried before the logic of the situation finally drove people to see that no evil can be regulated. The only sensible procedure in the case of any evil is to work for its abolition.

The brilliant and gifted Chesterfield, many years ago, said:

Luxury, my lords, is to be taxed, but vice prohibited. Let the difficulty in the law be what it may, would you lay a tax upon a breach of the Ten Commandments? Government should not, for revenue, mortgage the morals and health of the people (1).

The American people, after trying every form of the mortgage principle, decided at last to prohibit.

The so-called forms of "control" were always proposed by the liquor dealers themselves in order

to save their own skins. Modification may seem today to be the proposal of certain socially prominent and impeccable persons whose judgment is widely respected, but behind these people is crouched the old liquor business. Sometimes these prominent people are consciously allowing themselves to be used as tools. Much more frequently, however, they honestly believe, because of their own temperate use of alcohol, that drinking is not necessarily an evil in itself, but becomes one on account of the conditions under which liquor is sold. These people want to change the environment of drinking. Prohibition, however, is the crystallized experience of a sensible public which over a long period of time has observed that all attempts at control invariably fail.

As soon as prohibition sentiment assumed dangerous proportions in any community, liquor attorneys always advised their clients to seek compromise. Local option, state dispensaries, or beer and wine were the proposals generally advanced. The majority of temperance and prohibition advocates never wanted any of these things. They accepted them only because they felt they had to; and every time they were accepted, they not only proved a failure but delayed for many years the adoption of state prohibition. The manufacturers of liquor have long realized that the way to get prohibition out of people's minds is not to oppose it, but to get enough prominent private citizens

and politicians to persuade the general public that some other scheme would better serve the interests of temperance. Today, as well as in the past, the method of the liquor interests is to use the prominence and influence of certain people, whose names are above reproach, for the purpose of escaping prohibition.

In 1893 the people of South Carolina were about ready to adopt prohibition. The drys had for some years been manifesting increasing strength in both Houses of the legislature. In 1892 a referendum had been held for the purpose of ascertaining the will of the people, and by a majority of 10,000 the people voted for state prohibition. The liquor dealers saw that unless something was done the game was up for good. They proposed, therefore, the establishing of state dispensaries for the sale of liquor (2). This proposal was based on the assumption that the evils of liquor arose from the conditions under which it was sold, and not necessarily from liquor itself. Change the method of dispensing it and most of the evils would disappear; which, of course, is precisely the same philosophy as that lying behind the present agitation for modification or repeal. The suggested plan of Mr. Anderson of the Wickersham Commission is a case in point.

The drys of South Carolina were easily fooled on this occasion, and the movement for state prohibition was dropped. This was chiefly due to the

influence of Governor Tillman, who had been elected sometime before as the representative of the rougher element in the state, and who felt that he could not afford to alienate the votes of this class by signing a bill that would cut off their liquor. The new system provided for the complete monopoly by the state of both the wholesale and retail sale of liquor and took the dispensing thereof entirely out of private hands.

The dispensary system was presided over by a State Board of Control, composed of five members elected by the legislature. This board in turn appointed the central commissioner and the clerks connected with the state administration of the system, and also county boards which corresponded to the state board in local areas. All liquor was bought by the state and apportioned to the county boards. The profits of the state board were turned into the school fund, and those of the local boards were divided between the municipality and the county. No one could purchase liquor without a written application, and no liquor could be drunk on the premises.

If the evils of beverage alcohol lay in its method of sale, South Carolina would no doubt have solved the liquor problem both for herself and the nation. A number of very splendid men accepted positions on the boards in order to aid in what they honestly believed was a step in the direction of real temperance. The new method ostensibly

aimed to remove many of the old evils of the saloon. *The element of personal profit was destroyed.* The dispensaries were open only in the daytime. Treating was stopped. Liquor had to be paid for with cash, and the old evil of spending wages before they were earned was abolished. The proponents of the measure also claimed that by its adoption vice and gambling would be separated from the liquor traffic and would therefore tend to die out. Also, it was believed that the adoption of the dispensary system had given a body blow to the brewers and distillers and had freed the state from the control of these debauching elements.

As a matter of fact, scarcely a single prediction with reference to the benefits of the dispensary system proved true. For twenty-two years the people of South Carolina experienced as intolerable conditions under the dispensary system as they had known under the open saloon. The state being in the liquor business, politics came completely under the domination of the liquor interests. The brewers and distillers simply owned the state.

Time without end it has been proved that to license the manufacture and sale of alcoholic liquor in any way brings the licensing government under the domination of the liquor ring. The reason for this is the nature of the business and the people who engage in it. States have been ex-

tremely successful in regulating the insurance business and public service corporations. The reason is that the people who engage in these types of business are law-abiding and high-grade citizens. No man with a sensitive conscience, however, will sell liquor. The business gathers to itself the worst element in the population; and because of this, the most perfect system in the world and the vigilance of a standing army could never produce the results that right-minded people want to see produced. South Carolina went down by degrees into an even worse condition than the one from which she was trying to escape. After a twenty-two years' trial, the people by popular vote did away entirely with the dispensary system and adopted prohibition.

This does not mean that the State of South Carolina as a whole was afflicted with the dispensary system for twenty-two years. By the year 1909 the scheme had proved itself such a complete failure that the state legislature adopted state-wide prohibition with the privilege of a referendum in wet counties. Sixteen out of the twenty-two saloon counties of the state immediately abolished the dispensary system. By 1910 thirty-six of the forty-two counties in the state had eliminated the dispensary system. It was not until 1915, however, twenty-two years after the adoption of the measure, that all the dispensaries in the state were abolished by law. Some years prior to

this time, however, most of the counties had given up the dispensary system in disgust.

It will be recalled that they were ready to adopt prohibition in 1893, but allowed themselves to be deceived by the liquor interests, using as their spokesmen prominent citizens who insisted that prohibition could not be enforced and that a system of control was the only solution of the liquor problem.

Much of the present agitation for repeal of the Amendment and the return to a system of state control is simply engineered and financed by the liquor interests, still largely intact, which are trying to work on the nation at large today the same trick they worked on the people of South Carolina in 1893. The amazing aspect of the situation is that prominent people can still be found who either consciously or unconsciously become the mouth-piece of the liquor traffic.

In 1905—twelve years after the dispensary system began—a legislative investigation was made in South Carolina to ascertain the extent to which political corruption had crept into the system. Then it was found that the liquor interests had literally taken over the state. Offices, as insignificant as fifty-dollars-a-month clerkships, were sold by the liquor politicians. The dispensary system was so powerful that it was able to protect criminals from the law, and so seriously did it interfere with jury trials that the convic-

tion of bootleggers became almost impossible. All criminal convictions declined 50 per cent. Brewers and distillers, both within and without the state, sent in so much money to be distributed as bribes that the whole administrative system of the state was corrupted.

The worst feature of the dispensary system, however, was the attitude the dispensary officials took toward bootlegging. One of the arguments against prohibition had always been that it gave rise to bootlegging but that bootlegging would be impossible if the state controlled the sale of liquor. The bootlegger soon put in his appearance, however, and the dispensary official found that he was trying to give the general public in South Carolina relief from the provisions of the dispensary act which provided that liquor could only be purchased during the day. Many people wanted to drink in the evening, and very often the desire to indulge came at a time when they had neglected to lay in a supply of liquor during dispensary hours. The bootlegger came into existence to meet this widely felt need. Furthermore dispensary liquor was rather expensive, and bootleggers found that by adulteration they could put a product on the market which would undersell the dispensary. For several years the state opposed the bootlegger, but in vain. At last the Dispensary Board of Control hit upon a novel plan of controlling bootlegging. It decided to allow the bootlegger to

operate in defiance of the law, *provided he bought his liquor from the dispensaries*. Thus a truce was effected whereby the dispensary system sold people as much liquor as they wanted during the daytime, and allowed the bootlegger to sell them as much as they cared to drink at night in the speakeasies and dives. The only condition was that the bootlegger buy his wares from the state.

There were said to have been more speakeasies under the dispensary system than there had been under the system of the licensed saloon.

When the citizens of South Carolina voted on the liquor question in 1915, after twenty-two years of experience with the dispensary system, they cast 71 per cent of their votes in favor of state prohibition, and only 29 per cent in favor of continuing the dispensaries.

If the unsophisticated State of South Carolina experienced the corruption recounted above when it tried state control, what would happen in the State of New York with Tammany in control, or in Pennsylvania with the Philadelphia ring in charge of the administration of the liquor business? The opponents of prohibition would not be able to commend such a scheme as state control to the electorate of the country if the failure of the South Carolina system were generally known.

Every scheme being advocated today as a substitute for prohibition has been tried before in the United States, and generally in other countries

also, and has been found completely ineffective before the inherent lawlessness of the liquor traffic.

Trouble has arisen in the past not as a result of mismanagement but as the result of alcohol. Prohibition proposes to remove the cause. This is the twentieth-century modern way of handling every condition which jeopardizes public health and welfare.

The people of South Dakota also tried the dispensary system, and it is interesting to note that they tried it after being persuaded that their state prohibition policy could not be made to work (2a). We have in the experience of this state, therefore, a situation very similar to the one now confronting the nation. Prohibition had been tried in South Dakota, and so vigorously had the liquor interests worked to break it down by bootlegging and general lawlessness that the citizens became discouraged and were at last persuaded that prohibition could not be enforced, but that the sale of liquor could be controlled. After a two years' trial of the dispensary system conditions proved to be so much worse than partly enforced prohibition that, by the most decisive majority they had ever given on the liquor question, the voters decided to abolish it. It is interesting to note that after trying prohibition, and later the dispensary system, the state at last adopted a prohibition amendment to its constitution and has kept it there.

We have, therefore, in the experience of two states (one over a period of twenty-two years) a clear demonstration of what would happen if we should repeal the Eighteenth Amendment today, or in any way modify it with the hope of controlling the liquor traffic.

Many people are advocating an amendment of the Volstead Act which would permit the manufacture and sale of beer and light wine. Here also we are able to rely upon experience in arriving at a proper estimate of this proposal.

It might be well to recall to mind the alcoholic content of beer and wine. Most lager beer before the war contained 4 per cent alcohol. Wine seldom contained less than 12 per cent and whiskey averaged about 42 per cent alcohol. For more than a century it has been frequently maintained that if people could have all the beer and wine they want they would dispense with the so-called "hard liquors." Beer and wine, therefore, have often been advocated as temperance drinks.

Experience has proved several things about beer and other light liquors. First, while people may begin their drinking with beer, they soon crave something stronger and will be satisfied with nothing but hard liquor. In the second place, if people want the effects that alcohol produces they can get them by drinking larger quantities of beer and wine than they would of whiskey, and they do so. Two glasses of beer contain the same amount

of alcohol as the ordinary drink of whiskey, slightly less than two-thirds of an ounce (3). When one ponders this fact for a moment he can readily see that, if two glasses of beer contain the same amount of alcohol as one glass of whiskey, it is absurd to claim that beer is a temperance drink. It is true that one has to drink sixteen ounces of beer to get the same amount of alcohol one would get in three tablespoonfuls of whiskey; but sixteen ounces of beer slip down at least as easily as three tablespoonfuls of whiskey once a person has formed the habit.

Over ninety per cent of the product dispensed by the old-time saloon was beer. No honest person is so gullible as to believe that the widespread drunkenness of the saloon days was caused by less than ten per cent of the liquor sold, namely, wine, whiskey and other hard liquors. Beer makes anyone drunk who wants to get drunk.

The third fallacy of the beer and wine arguments is that no law on earth could control the brewers. It was their rapacity that brought on prohibition. They owned about eighty-five per cent of the saloons before the adoption of the Amendment. *To license the sale of beer would mean to return to power the most lawless aggregation with which the Federal government has ever had to deal.* After being licensed by the United States Government for more than fifty years, they turned on their adopted country during the last

war and tried in every way to give aid to the enemy. To license beer would not only mean to open the floodgates of liquor again; it would actually mean rewarding with Federal license a group of men proved by Congressional investigation to have conspired against their country in time of national danger.

If anyone feels that the above estimate of the brewer is too severe, he is invited to read the United States Senate Judiciary Hearings, 65th Congress, second session, 1919, *Brewing and Liquor Interests and German and Bolshevik Propaganda*, in which the treason of the brewer during the war is clearly set forth.

As for wine, one need only recall that the drunkenness of Greece and Rome and all the debauchery prior to the year 1000, referred to in history, was caused by grape wine and a grain wine known as barley beer. The drunken debauches, which brought to a premature close the life of Alexander the Great, which called forth the condemnation of some of the outstanding Greek philosophers, and produced on the Nile and Tiber such conditions of life as were never known before or since, were all primarily caused by barley beer. Furthermore, alcoholism is nowhere more acute than in modern wine-drinking countries. While one does not see a great deal of reeling drunkenness on the streets of continental cities, there is a tremendous amount of intoxication in the public

drinking places, especially at night; and a large portion of the population keep themselves so continually soaked with wine that diseases arising from alcohol are prevalent to a shocking degree in all wine-drinking countries.

The American people, however, never drank much wine, and never would. The chief demand is by the foreign colonies in our big cities. Wine is simply lugged in by the anti-prohibitionist to support beer, to enlist the support of the Latin element and to constitute an opening wedge for whiskey.

Three states have actually tried the experiment of exempting beer from prohibition, and so we know how it would work if adopted nationally (4). We need not indulge in any theory about the matter. It has been tried out: first, by a mid-western agricultural state, Iowa; later, by a large eastern industrial state, Massachusetts; last of all, by a southern state, Georgia. Thus the scheme for promoting temperance and doing away with bootlegging by prohibiting hard liquor and allowing beer and wine to remain was tried out in three parts of the country where conditions and population were as different as they could possibly be.

Let us look first at Iowa. The people of that state gave the beer and wine proposal a fair trial. In 1858 they amended their prohibition statute to permit the manufacture and sale of beer, wine

and cider. For twenty-six years this system prevailed. The increased consumption of liquor, the political corruption, and the growth of drunkenness, led the people at the end of nineteen years to demand the restoration of bone-dry prohibition which, in the interests of temperance, they had been persuaded to give up. A constitutional amendment was passed by two succeeding legislatures—as the constitution required—and was submitted to the people. In 1882, twenty-four years after they had been tricked by the liquor politicians into believing that prohibition with beer and wine exempted was more conducive to temperance than bone-dry prohibition, the voters of Iowa passed a bone-dry amendment to the constitution by almost 30,000 majority. This was later declared unconstitutional because of an error that had occurred in legislative procedure; but so aroused was the electorate that, in 1884, Iowa went back again to statutory prohibition.

In 1870 Massachusetts decided to amend the prohibition law, “in the interest of real temperance,” and permit the manufacture and sale of beer and other malt liquors and cider (5). By 1872 there was an increase in the aggregate number of crimes of 68 per cent and over 120 per cent in cases of drunkenness. *There was a marked increase of drunkenness among boys of school age.* In one little town the school authorities reported that twelve boys had come to school intoxi-

cated. Judges and police officials all over the state reported that conditions grew immediately worse under the new provision. In 1874 the Governor General of Canada appointed a commission to visit areas in the United States where prohibition laws were or had been in force and to report their findings to the Canadian Government to assist it in forming some intelligent policy in dealing with the liquor problem. The commission report showed that in Massachusetts, under the beer and cider regime,

. . . drunkenness, crime, violation of the liquor law, distinctly increased and that under the cover of malt liquors, the sale of the stronger beverages not only increased, but was far more difficult to control than when malt liquors were included in prohibition. The exemption of malt liquors practically vitiated the prohibition law (6).

The Chief of Police of Boston reported that, out of almost 2,600 places where liquor was sold, only seventeen sold lager beer alone.

In 1873, upon the recommendation of the Governor of Massachusetts, the legislature repealed the law permitting the sale of beer under the prohibition law.

Georgia also tried beer exemption after it had passed statutory prohibition. In fact, the same legislature that passed the prohibition law amended it to exclude beer. Conditions were

about the same as Iowa and Massachusetts had experienced at an earlier date. Eleven years later Georgia repealed its beer law and adopted full prohibition, "with an almost immediate marked reduction in the social effects of alcoholism."

So, why argue about beer and wine! They have been tried; not just for a short while, but in one state for twenty-six years, in another for eleven, in a third for three. These states were in different parts of the country, and the experiments were made at three different periods of time. In addition to this, England made a beer experiment in 1830 (to which reference has already been made on page 84) for the purpose of checking widespread drunkenness on hard liquor. Two weeks after it came into force, the Rev. Sydney Smith, an ardent supporter of the measure, wrote:

The new beer bill has begun its operations. Everybody is drunk. Those who are not singing are sprawling. The "sovereign people" are in a beastly state (7).

The exemption of beer and wine from prohibition has not only failed every time to cultivate temperance; it has greatly increased drunkenness and crime as compared with only half-enforced prohibition.

In 1920, William Howard Taft, later Chief Justice, said:

I am not in favor of amending the Volstead

Act in respect to the amount of permissible alcohol in beverages. I am not in favor of allowing light wines and beer to be sold under the Eighteenth Amendment. . . . No such distinction as that between wines and beer, on the one hand, and spiritous liquors, on the other, is practicable as a police measure. . . . Any such loophole as light wines and beer would make the Amendment a laughing stock (8).

In 1931 the National Commission on Law Observance and Enforcement reported that "the Commission is opposed to the proposal to modify the national prohibition act so as to permit manufacture and sale of light wines and beer."

Experience and common sense teach us that what makes liquor socially dangerous is not the method under which it is dispensed, *but the alcohol it contains*. Change its environment in any way and its essential evils remain. All these pious exclamations against the old-time saloon in which politicians, society leaders and even a few college presidents indulge, while at the same time they urge modification of bone-dry prohibition, are just sheer nonsense. Let any amount of alcoholic beverage be legalized, and the saloon is on the job again no matter how much its friends may try to disguise it.

Modify prohibition in any way, and the saloon, with all its social dangers, is inevitable.

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CHAPTER VII

ATTEMPTED CONTROLS IN OTHER COUNTRIES

The objection might be made that, while in the past it has been found impossible to control the liquor traffic in the United States, it by no means follows that this would be true today. Because Massachusetts could not control the avarice of the brewer in 1870, or Iowa in 1858, or even Georgia in 1908, is no reason for believing that, with increased governmental efficiency and new scientific ways of doing things, the control of the liquor power would be impossible now.

There are several answers to be made to a statement like this: The first is that alcohol in 1931 is precisely the same commodity as alcohol in 1870, and that what has caused the trouble all along the line has not been the *way* alcohol was sold, but the degrading social and physiological effects which beverage alcohol inevitably produces. These effects are twofold: Alcohol not only degrades the person who drinks it; even more apparent is the degrading and hardening effect it has upon those who sell it. There is precious little difference between the dram seller twenty-five years ago and the bootlegger today. The brewery

organizations which own their own breweries, still equipped in the United States and expecting to start in business within a few years, are not one whit different from their predecessors who broke down the dispensary system of South Carolina and violated the beer provision of the Massachusetts law. People who want to do the square thing by their fellows do not, as a rule, go into the liquor business.

If anyone doubts for a moment the inherent lawlessness of the still-organized liquor traffic in this country, let him read Mabel Walker Willebrandt's book, *The Inside of Prohibition*. Mrs. Willebrandt, it will be recalled, was for eight years the Assistant Attorney General of the United States in charge of prohibition enforcement. Few people in this country know the seamy side of liquor better than she does, and the impression her book conveys on every page is that the liquor seller is the most vicious, daring and unscrupulous enemy of society which this country has ever had to tolerate. Men who will persistently disobey a Constitutional amendment, supported in many cases by a state law also, will never obey any set of laws designed to regulate their business.

The licensing of beverage alcohol inevitably brings back the saloon again, no matter how cleverly disguised it may be. How can people hope that we can control a traffic which at this present hour is spending thousands of dollars to



Make this the last hand
and well have some
- refreshments

- and something MORE!
~~_____~~ Rye Whisky!



RYE WHISKY

13oz \$
26oz \$
40oz \$

HOME SWEET HOME

They don't have saloons in Canada. They do their drinking in the home.

is just that much
BETTER



GIN

26.6 oz. \$ — 40 oz. \$

ESTABLISHED 1770

THE CANADIAN LIQUOR MANUFACTURERS MAKE THEIR BID FOR
THE INTEREST OF YOUTH.

break down national and state laws and works hand and glove with the most dangerous outfit of criminals which ever challenged the authority of our government?

Fortunately, the United States has an experiment in government liquor control going on right next door. Eight of the nine provinces in Canada now have so-called government control, or at least a system which goes by that name.

If the Canadian system can be proved to contribute to the welfare of the general public, the modificationists in spite of past failures might still in justice appeal for one more chance for state control.

Let us look at the Canadian system.

Canada never had prohibition in the way we have it here in the United States. Eight provinces adopted prohibition; seven of them in the years 1916 and 1917. Prince Edward Island went dry as early as 1901, and is the only province today which still retains bone-dry prohibition. The Dominion Government, however, except for a very short period during the war, never forbade the manufacture, sale, transportation, importation, or exportation of liquor.

The provinces could only pass laws prohibiting the *sale* of liquor within their borders. The manufacturing, inter-provincial transportation, importation and exportation of liquor in the Dominion at large was something with which they had noth-

ing to do. This was regulated by the Dominion Government. By an Order-in-Council, passed in 1917, the Dominion Government for a period of about two years during the war did prohibit the importation of liquor into Canada and the manufacture of liquor and its shipment into dry areas. This was not a legislative act, but purely an executive order passed by the officers of a coalition cabinet. After the war this order was rescinded (1). The provinces were dry. The Dominion as a whole recognized the legality of the liquor traffic, however, and there was no Dominion law to prevent the shipping of liquor into dry provinces. A nationally organized liquor traffic, therefore, set to work as soon as the war was over to break down the prohibition laws which eight of the nine provinces had passed. This traffic was legalized by the Dominion Government. It was a comparatively easy task to run liquor into every province and to sell it in such quantities through bootleggers that it soon began to look as if prohibition could not be made to work.

At the same time the legalized liquor manufacturers of Canada were smuggling huge consignments of liquor into the United States as well. Motor boats by the hundreds plied between Canada and the American ports and whole fleets of trucks came across the international boundary lines. The distillers and brewers adopted the policy of paying the fines of the bootleggers who

were marketing their wares to such an advantage in both Canada and the United States, and thus greatly increased lawlessness.

Just bear in mind that here, as in the United States when control was tried, the liquor dealers at one and the same time broke the law and then spread broadcast the tale that the law could not be enforced. In both cases, instead of being jailed like common criminals, an easy-going and gullible public rewarded their lawlessness with license.

One by one the provinces gave up their prohibition policy. What was the use, they argued, of trying to enforce prohibition in the several provinces when the Dominion Government allowed the manufacture and inter-provincial transportation of liquor to continue? Provincial prohibition laws of Canada lacked the one element which gives prohibition real power, namely, control over the source of supply. The Eighteenth Amendment to our Constitution prohibits the manufacture of intoxicating liquor, as well as its sale and transportation. The sale of liquor was prohibited by the Canadian provinces. The manufacture of liquor was at the same time licensed by the Dominion Government. It was inevitable that the liquor traffic would ship liquor into the dry areas and support the bootlegger in every way. Provincial prohibition was rendered inoperative because it was unsupported by Dominion authority. Efforts to keep local areas dry were neutralized

by the activities of a nation-wide traffic, existing by Dominion license.

The first step the Dominion Government took to stop the flow of liquor across their borders was to pass a Dominion law which permitted the voters to prohibit importation of liquor into their respective provinces.

By overwhelming majorities the provinces voted to prohibit importation. But the evil had made too great headway already. The brewers and distillers had so powerfully organized the bootleggers that the mere law was of little avail. The illicit sale of liquor continued on as wide scale as before; and at last, not knowing what else to do, they accepted the proposal—advanced very artfully by the liquor interests through prominent citizens and interested politicians—that the provincial governments assume responsibility for the control of the sale of liquor.

Prohibition has always been bitterly opposed by the liquor people because it embodies the only form of liquor control which has ever proved effective—namely, control at the source of supply. Liquor propaganda is always to the effect that legislation should aim to control the *sale* of liquor, as the method of distribution is supposed to be the cause of liquor evils. Prohibition, on the other hand, gives its attention to the source of the evil, the manufacture of beverage alcohol, and accordingly wipes out most of the liquor evils when it

gets anything like a fair enforcement. The citizens of Canada, like the citizens of South Carolina, Iowa, South Dakota, Massachusetts and Georgia a number of years before, allowed themselves to be persuaded that if the *method of distribution* could be changed the evils of liquor drinking could be very effectively handled.

Prince Edward Island retained prohibition. The other eight provinces adopted systems of "control." These systems vary widely in their provisions. The Quebec system is really nothing but the government sale of liquor, restrictions being almost nil. Saskatchewan, on the other hand, has fairly severe restrictions. Between these two, range the other provincial systems; but all have forsaken the prohibition principle which aims to prevent manufacture of intoxicating liquor and have adopted so-called "control" systems which aim to regulate sale.

Government "control" has proved to be the greatest boon the liquor traffic ever received. The government buys the liquor from the distiller and brewer and sells it through the government stores and other establishments in which it is dispensed. Think of what it would mean to any industry if the government suddenly offered to assume responsibility for the sale of its product. In the old days the liquor industry had to maintain a vast organization to "push" its wares. The Canadian Government today has agreed to relieve

the trade of this burden, and thereby relieve it of that much overhead. The four largest liquor companies in Canada have had a net gain on the market value of their stock, since the adoption of government "control," of \$73,000,000, or about 315 per cent (2). Before, there was cut-throat competition, defalcation of agents, and the heavy expense of buying property and establishing saloons. The government has relieved them of all these inconveniences.

No capital is required, the government supplying this, no financial worries, no fear of loss, no competition. There is not a brewer or distiller in Canada that does not vastly prefer the present method of selling his goods to that which obtained under the old license system (3).

Government "control" has been an unqualified success from the standpoint of those who profit by the manufacture and sale of liquor, which is mostly in private hands. But how about the system from the standpoint of the general public?

Before attempting to answer that question let us look for a moment at the way the system operates.

There is really no one Canadian system. Each of the provinces has a system of its own; so there are really nine Canadian systems. Eight of these, however, have certain common features, and it is

these which give some measure of justification for speaking of "a Canadian system of liquor control."

In most of the provinces a person must have a permit to purchase liquor. While this permit may be revoked for certain abuses, it very rarely is. Hard liquor is sold only in government stores, or at least is supposed to be sold only there. Beer is sold in sealed packages in all the provinces, and in some by the glass also. Three provinces do not limit the quantity to be purchased, and the others are so generous in their provisions that widespread suffering is happily averted. In Saskatchewan the thirsty have to get along the best they can on one quart of whiskey and other hard liquors a day, a gallon of wine, and two gallons of beer; in Manitoba, on twelve quarts of hard liquors a week and forty-eight pints of beer; in Ontario, on twelve quarts of hard liquors and sixteen gallons of beer at one purchase. There is no limit to the quantity of wines sold in six provinces, but the *minimum* native wine permitted a purchaser at one time in Ontario is three bottles (4).

Most Americans believe that in Canada the sale of liquor, both wholesale and retail, is entirely in the hands of the government. The wholesale business *is* in the hands of the provincial governments. The retail business, however, is almost entirely in private hands. According to the latest

reports available there are 5,148 liquor-selling establishments in Canada, but only 588 are owned and operated by the government. Four thousand five hundred and sixty are privately owned concerns. Beer saloons and beer shops comprise by far the greatest number of these. About seventy per cent of the total number of liquor-selling places sell beer by the glass, and so are, in every sense of the term, like the old-fashioned American saloon where less than ten per cent of the product sold was hard liquor. That is, the American saloon was more than ninety per cent a beer saloon and less than ten per cent a whiskey saloon. The modern Canadian saloon or tavern is supposed to be one hundred per cent a beer saloon, although patrons often bring in flasks all the whiskey they want, and in many taverns the management boot-legs hard liquor.

Thus it can readily be seen that the Canadian system is a seventy-percent reversion to the American saloon, to say the least, and the remainder is an attempt to transfer drinking to the home. In the judgment of impartial observers this can hardly be called an improvement. It invariably increases drinking among women, lessens the social disapproval of alcoholic indulgence, and frequently starts the children drinking, thus fastening upon them a habit from which they never escape.

So one would be led, on theoretical grounds if

on no other, to view the Canadian system with disapproval. It would seem to correct almost none of the perennial liquor evils and to give rise to others not inherent in the old system. The old American saloon operated under a curse in spite of the fact that it was politically powerful. The Canadian system has made liquor selling respectable. A saloon-keeper is no longer a saloon-keeper; he is a government employee, and the immoral effect, especially upon youth, of thus glozing over the true nature of the liquor traffic is incalculable.

The practical working out of the Canadian Systems confirms every theoretical misgiving which one might hold. Between 1923 and 1929 the production of spirits increased 339 per cent, the production of beer or malt liquors increased 78 per cent, the production of wine (1923-28) increased 406 per cent. The consumption of spirits increased 80 per cent, the consumption of beer or malt liquors increased 74 per cent, and the consumption of wine increased 390 per cent. Since the Canadian Government has gone into the liquor business in the interests of temperance and obedience to law (1923-28) indictable offenses have increased 43 per cent, convictions for drunkenness have increased 30 per cent, *violations of the liquor laws have increased 51 per cent*, criminals listed as immoderate drinkers have increased 107 per cent, and persons intoxicated while driving a car have

increased 274 per cent. During this time the population increased only 7 per cent (5).

No wonder upward to 1,000 breweries in this country have remained intact during ten prohibition years. What a haul the brewers would make if their friends—wet editors, wet politicians, and wet society leaders—could ever persuade the American people to give up prohibition!

And now the social effects of this “control” system.

Mr. Ben. H. Spence, of Toronto, is one of the best authorities on the liquor question in Canada. In a forty-page pamphlet, representing a tremendous amount of research, he lays bare the waste and criminality of the liquor traffic. He demonstrates beyond the shadow of a doubt that, not only from the economic but from the moral and social standpoint as well, the Canadian systems have forfeited any right to be called anything other than a scheme of the brewers, distillers and saloon-keepers to increase the sale of liquor. The people of Canada have had the wool pulled over their eyes in great shape, and there are indications that they are beginning to appreciate—and resent—this.

Dr. Jennie Smillie, a prominent Toronto physician, appointed by the Liberal Women’s Association as convener of a committee to inquire into the workings of the Liquor Control Act, reported that:

HAPPY DAYS!



The "Coming Out" Dance

A day of days—eagerly anticipated—never forgotten. Merriment and laughter prevail o'er all as flushed and proud, budding womanhood accepts the pleasing tributes of her "first dance."

A day of days indeed and not the least delightful of its attractions, the delicious flavor and fragrant bouquet of the cocktails prepared from ~~Canadian~~ Gin.

* * *

Look for the distinctive woven ~~label~~ label on the crystal clear ribbed bottle—which like the quality of the contents, distinguishes it from all other gins.

Canadian
Gin

This is the way Canadian "Control" discourages drinking among young people.

HAPPY DAYS!



The Son and Heir

Health, wealth and happiness to the new son and heir... congratulations to the parents... a proud day and an event worthy of the best, fittingly toasted in cocktails made with ~~the finest~~ **GIN.**

~~the finest~~ **GIN** has a satin smoothness that is easily recognized in any cocktail. Its delicious flavor and pleasant bouquet is not obtainable in any other gin.

* * *

Each bottle of ~~the finest~~ **GIN** bears a woven label of real ~~substance~~... the identifying mark of superior and exclusive quality.



HEALTH, WEALTH AND HAPPINESS TO THE SON AND HEIR.

And when he gets a little older the Canadian "Control" System will provide all the gin necessary to bring about this much-desired state. Until then he will be trained in a home which buys from the government dispensary when convenient, and from the bootlegger when not.

Drinking among women is on the increase in Ontario because of the accessibility of liquor in the home. The effect of this is very far-reaching. It not only debauches womanhood, but endangers the lives and destroys the morals of children. A woman's nervous system is not so strong as that of a man, therefore it is more susceptible to alcoholic poisoning. If a woman's system is poisoned with alcohol, what chance would the child that she brings into the world have of being strong either mentally or physically? There is no greater danger to the nation than drinking among women (6).

Said Hon. E. C. Drury, late Prime Minister of the Province of Ontario, in a public address:

I fear here in Ontario that we shall see, under the present system, the debauching of womanhood. The barroom was bad, vile, degrading. The drinking in the home strikes deeper into the very vitals of the nation (7).

A prominent Canadian physician has declared that Montreal is turning out drug addicts, criminals, disease sufferers, and derelicts at an alarming rate, that it maintains the only recognized red light district in the continent, and that its moral evils are largely due to intoxicating liquors (8). Let no American citizen, alarmed at conditions in this country, feel that these conditions would be improved by a so-called "control" system.

One of the things about which the anti-prohibitionists in the United States claim to be particularly alarmed as the result of prohibition is the common practice of bootlegging. Has the Canadian system abolished this?

Not by any means. The Canadian bootlegger has had the most troublesome problem of his trade solved for him by the government—namely, the problem of supply. The poor American bootlegger has not only to confront all the difficulties incident to retail trade; his greatest difficulties arise in connection with getting the liquor in the first place. The Canadian bootlegger never worries about this. He simply buys it from the government, as his predecessor in South Carolina did some years ago. The Canadian bootlegger uses his own permit—where one is needed—or the permits of his friends, and often takes out permits in the name of some respectable citizen who does not have a permit and is entirely unconscious of the fact that his name is on the books of the Liquor Commission until, perhaps, he gets a notice some day that he is exceeding his allowance.

The bootlegger sells to those who want to drink after the government stores are closed, to those who frequent dives, and especially to young people who cannot legally obtain liquor. If the people of the United States believe that by some system of so-called "liquor control" they would eliminate bootlegging and shield their young peo-

ple from the effects of intemperance, they need only examine reports made by fair-minded people who have observed the Canadian systems in operation. The bootlegger serves youth in Montreal and Toronto exactly as he does in New York, Philadelphia and Chicago. Liquor is the same everywhere, and the people who sell it are not made different by international boundary lines.

So examined from every standpoint, the Canadian system appears to have failed in its attempt to promote true temperance. It has resulted in tremendous increases in the consumption of every variety of liquor. A system which increases the amount of liquor people drink, instead of decreasing it, can never in justice be called a temperance system.

There are a number of other so-called systems of "control" operating in different countries. Since the attention of the nation has been called to the Bratt system of Sweden in the individual report filed by Mr. Henry Anderson of the Wickersham Commission, it might be well for us to examine the results achieved by this system.

This system went into operation in Stockholm early in 1914. Privately owned drink-selling societies, known as *bolags*, handle the selling of all "intoxicating liquors" (an expression which is interpreted to include only spirits, wines, and malt liquors containing more than 3.6 per cent of alcohol by volume). Any person over 21 years of

age may secure a *motbok* unless a previous record of drunkenness or crime has rendered him obviously ineligible. With this *motbok* a man may obtain as much as 4 liters of spirituous liquors (brandy) per month, but no restriction is set in the law for wine and beer. No *motbok* is required in restaurants, but prior to 3 P. M. no intoxicants can be sold to other than those who eat meals.

The Bratt system is the successor of the Gothenburg system, which in 1914 had to apply to the city of Stockholm for a renewal of charter. Dr. Ivan Bratt organized a rival company and secured the grant of charter. The Bratt system therefore consists of the private sale of liquor by stock companies organized in most of the towns and cities.

Naturally, during the war period there was a great decline in the consumption of liquor, with the result that by 1918 the per capita consumption of liquor was only about 20 per cent of what it had been in 1913. But since 1920 the full allowance of spirits authorized by the Bratt system has been obtainable, "with the result that there has been an immense increase in consumption and in the number of drunkenness offenses." Since 1918 there has been a steady increase in the per capita consumption of all liquors except wine. In 1927 the per capita consumption of fifty-percent liquor was almost four times what it had been in 1918; of malt liquors, over seven times what it had been in 1918; and of absolute alcohol, over three times

what it had been in 1918. Although convictions for drunkenness today are not so great in Sweden as they were in 1913 under the old Gothenburg system, nevertheless, after the principles of the Bratt system had been put into operation, the per capita convictions for drunkenness in 1927 were 51 per cent in excess of what they had been in 1918 (9).

Dr. Dahlgren, state expert for temperance teaching in Sweden, remarks:

In this connection we must regretfully state that Swedish women form a larger proportion of spirit consumers than formerly; this is specially remarked among the frequenters of restaurants (10).

He adds further that the system lends itself easily to fraud, provokes an illicit liquor traffic, smuggling, and clandestine distilling. In other words the Bratt system has not succeeded in eliminating the home brewer and the bootlegger any better than has the Canadian system.

The late Senator Björkman of Stockholm has said that the worst feature of the system is that as every young man reaches the age of 21 he gets a *motbok* as a sort of badge of manhood. Previous to that time he has probably had the opportunity to buy all the liquor he wants from bootleggers, for youths of 16 and 17 years of age are often found in possession of intoxicating liquors

and are themselves intoxicated. After he gets a *motbok* he of course begins to use it. Thus the government, by allowing him to secure this book when he reaches 21, puts the stamp of respectability and legal sanction on drinking habits which very often in later years lead to drunkenness (11). Any hope on the part of the parents of our country that their young people would be protected if the Bratt system were introduced into the United States, under the guidance of Mr. Henry Anderson of the Wickersham Commission, cannot possibly be justified by an investigation of the way the Bratt system has worked in Sweden. Just remember that there has been a great increase in drinking among women, and that at the age of 21 practically every young man considers it an evidence of his newly acquired citizenship to be able to display a *motbok*.

On the whole, the Bratt system seems to have done nothing more than to level the peaks of excessive drinking which were so evident before 1914. The per capita consumption of liquor and arrests for drunkenness have increased tremendously, along with other social disadvantages, since the year this system went into operation.

All of which bears out the contention that the evil of liquor arises not from the conditions under which it is sold, but from the commodity itself. The American people would hardly feel justified in surrendering even partly enforced prohibition

for systems which have produced no better results than have the Canadian and the Bratt systems.

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CHAPTER VIII

THE NEW DAY OF THE MACHINE

So far we have been looking at the liquor traffic as a source of moral and political corruption. Only now and again have we dwelt upon its bearing upon the economic life of the country. As a matter of fact, however, the Eighteenth Amendment was adopted not only because the liquor traffic had proved itself a moral evil, but also because it had everywhere come to be regarded as an economic liability. It was not only the curse of the home but the curse of the factory. Liquor had always been recognized as an evil; industrial leaders at last came to see that it was also the nation's chief source of waste.

Without indulging in any cynicism whatsoever, it can be confidently maintained that if drinking had been only a moral evil prohibition would probably never have been adopted. Majorities are secured for any movement when it has proved itself not only right but profitable. Many people will support a movement solely because it is right. The majority, however, become interested only when it appears that this movement will contribute to their economic betterment.

The abolition of slavery was a good example of

this. So long as slavery confined itself to the southern states, the North, with a little grumbling, was willing to let it alone. But when slavery began to extend its sway over the undeveloped western territory, Northerners who wanted to make a new home for themselves in the West began to realize that free white labor could never hold its own against slave labor. The North went to war over secession; but back of secession was the determination of the slave interests to gain possession of the territory west of the Mississippi. The issue was not just slavery but the extension of slavery. In other words, it was not only a moral but an economic issue.

The same thing could be illustrated by almost every popular movement which has ever taken place, not only in the field of government, but in the field of religion as well. Any movement gains immeasurably in its appeal when it can show profits. There would be absolutely no hope for prohibition today were it not tied up with economic improvement. In fact, it would never have been adopted had not its economic advantages been appreciated by the commercial and industrial leaders of the country.

The economic history of the United States is fully as interesting as its unique and picturesque political history. The industrial revolution which during the eighteenth century had been tearing Europe asunder began to be felt in this country

after the war of 1812. We never experienced the terrific social upheaval which England did, for instance, as the result of the introduction of machinery. Unlimited national resources and a scarcity of labor worked to our advantage from the very start. In 1769 Watt produced the first practical steam engine. In 1807 Fulton drove the first steamboat up the Hudson. In 1829 Stephenson applied steam motive power to transportation and succeeded in making a train go from Liverpool to Manchester at the amazing speed of twenty-five miles an hour. In 1838 the first steamship crossed the Atlantic. While England was passing through the harrowing experience of substituting machine for hand labor, the hardy colonists were trying to create an independent nation. By the time the nation was established with more or less stability, Europe in general and England in particular had passed through the worst phase of the industrial revolution, and we immediately began to reap the fruits of their experience. By the time we were in a position to use machinery, it had been developed to a point where it could be used with profit both to the employer and employee. The United States took to machinery with great enthusiasm from the very first, and, unhampered by tradition, laid early the foundations of the world's greatest industrial empire.

By 1850 this country was well on the way to complex industrial development. The Civil War

saw the beginning of what has since become quantity production. Agriculture maintained itself in first place until the eighties, but the census of 1890 showed that manufacture had forged ahead until by 1900 the value of manufactured products was more than double that of agriculture (1). Between 1880 and 1920 population increased each decade at a rate averaging about 20 per cent, but during this time iron-ore production increased at a rate averaging 123 per cent every ten years, and steel about 150 per cent (2). The extent to which machinery had come to be used is readily appreciated when one compares the increased number of wage earners with the increased value of manufactured products. From 1849 until 1919 the number of wage earners in this country increased 840 per cent, but the value of manufactured products during this period increased nearly 6,000 per cent (3). In 1860 the United States ranked fourth in the value of products manufactured throughout the world. By 1894 we had reached first place, producing twice as much as Great Britain and half as much as all Europe together (4). Between 1869 and 1919 mechanical power in the United States increased from 2,346,000 to 29,324,000 horsepower, or 1,150 per cent (5).

There was something about the free and unconventional spirit of America which led manufacturers, from the beginning of our industrial history, to accept with enthusiasm any power other

than hand. Only 276 patents were granted the first ten years after the patent office was opened. As years passed this number increased until now we issue over 40,000 patents each year. America has forged ahead of any nation in the world in the development and use of machinery.

In fact the American civilization is a machine civilization. What is but partly true of other nations is pre-eminently true here. Europe still shows partiality for hand-made goods, but here in America practically everything is machine made. The comparative scarcity of labor, linked with the unusual opportunities for industrial development, has always stimulated and encouraged the inventive genius of the nation to the creation of labor-saving machinery.

The result of this has been an achievement in efficiency more astounding than the most extravagant dreamer ever dared to picture. The whole aim of industry for the past fifty years has been to eliminate waste. One picks up a book like Henry Ford's and Samuel Crowther's *Today and Tomorrow* and reads accounts of the elimination of waste in material, time and process which are almost unbelievable. For instance, iron ore landed at the Ford docks at Detroit Monday morning at 8 o'clock is transformed into an automobile ready for delivery to the customer by 5 o'clock Tuesday afternoon (6). Mr. Ford could not put up with the inefficient and old-fashioned

way of manufacturing glass for windshields. His engineers evolved a process which simply put that industry years ahead of where it had been. A certain manufacturer, who provided the Ford company with automobile bodies, was told that he must make his product and sell it for half of what he was charging. With Ford experts to guide him he raised his wages, and then so cut down waste that within a short time he was not only selling his product for just half of what he had been receiving, but was making more money than he had ever made in his life. Ford took a railroad which had never shown profits and within a short time had so transformed its method of administration that each year now it earns about half of what he paid for it.

We call this efficiency. Efficiency is the science of eliminating waste—waste of money, material, energy or time. In China human labor is plentiful and therefore cheap; so men carry like animals. In America labor is scarce, and as a result we have evolved a technique, not for just getting the same work done by fewer people but for getting thousands of times as much work done as was formerly done and getting it done better. “We know just how many machines and employees it will take to reach a given figure at a given time,” says Mr. Ford; and because he does know this he can produce on quantity basis. Eight thousand cars a day, with 48,000 cars in transit and 600,000

employees directly or indirectly employed in the making of Ford products, is the gigantic enterprise in efficiency which one man has built up in about 35 years.

The Ford Company is cited here because it is the largest project of its kind in the world, and because its methods have become well known. It is typical, however, of what is occurring everywhere. Any manufacturer who fails to master the technique of efficiency, or waste elimination, goes first into red ink and then into bankruptcy. We may not like certain phases of mass production, but like them or not, mass production is here to stay; and so completely is mass production tied up with processes, the results of which can be accurately predicted beforehand, that anything tending to interfere with this scheme in any way would simply undermine the whole stability of modern American life.

For many years manufacturers worked to eliminate waste in materials and time. They came to see at last that if the industrial process was to be anything like completely efficient there must be an elimination of waste in the human factor also. Science tried first to rid the material factors of production of their waste. The logic of the situation at last demanded that the skill, the stamina and the resourcefulness of the worker be guarded from anything which would interfere with efficient effort. The first thing industry attempted to do

was to make efficient machines. It has come to the place where it appreciates the necessity of efficient workers. In fact, no mechanical efficiency is considered of any value today unless the human factor connected with it manifests a corresponding efficiency.

Compare the industrial efficiency of this country with that of Europe. Here we make everything by machinery; there they still produce many things by hand. Here we are unhampered by tradition; there they do largely as they did in the past. Here we work under pressure for a few hours; there they toil many hours. Here we pay high wages; there they pay low wages. In no way does the industrial efficiency of Europe compare with that of America. Many of Europe's hand-made articles are superior to those of America and more durably and artistically made; but in this country we specialize on mass production, and nowhere in the world do manufacturers produce so much and pay such high wages to the producer as here. It must be perfectly apparent to everyone that mass production would be impossible unless we could depend with some assurance upon every factor of production, *including the human factor*. But we cannot depend upon the human factor while liquor is legally sold. A man may be on the job today and off tomorrow. He may come to work decidedly impaired as the result of a "spree." He may handle a machine in a clumsy

fashion because his hand is unsteady and finally cause a tie-up in the mill. Certainly he will not work so well—all things else being equal—as if he were habitually sober.

Now American mass production simply cannot tolerate that kind of workman, and the fact that since 1920 we have had a different kind of workman is one of the most important factors in our increased industrial efficiency. As long as Europe drinks as she does, she will lag along in the industrial procession. Industrial efficiency means above everything else efficient and alert workers, and alcohol cuts down the efficiency of the worker in an appalling fashion. Mr. Edison remarked some time ago in an interview that the European nations are beginning to get worried about their ability to compete with a sober country. And well they may. America has become the greatest industrial empire on earth; and the demand for sobriety in industry, recognized even before prohibition was adopted, has, in this period of extraordinary efficiency, become imperative.

The opinion has already been expressed that were it not for its economic significance prohibition would never have been so overwhelmingly adopted as it was, nor could it at the present time be maintained. Proof of this is to be seen in what happened with reference to prohibition between 1850 and 1855. Twelve of the thirty-one states adopted prohibition within that period, but within

a few years most of them went back again to the old system (7). This was partly due to the fact that the slavery issue had come to overshadow every other. But even more was it due to the fact that the United States was not yet industrialized, and therefore the economic advantages of sobriety were not appreciated. They are appreciated now; and this not only accounts very largely for the adoption of the Amendment but gives its supporters a well-founded assurance that, America being what it is, alcohol as a beverage will never again be legalized.

Professor Feldman, in his splendid book entitled *Prohibition: Its Economic and Industrial Aspects*, quotes from a report the Committee of Fifty made in 1899, as follows:

As more things are done by machinery, as trolley cars supplant horse cars, as implements of greater precision and refinement take the place of cruder ones, as the speed at which machinery is run is increased, as the intensity with which people work becomes greater, the necessity of having a clear head during the hours of labor becomes imperative, and the very conditions of modern business life necessitate sobriety on the part of the workers (8).

But only half the story about America's industrial development has been told when one has examined statistics for the years prior to 1920.

The gains in industrial efficiency and machine power since that date have been most significant. Horsepower utilized in industry has always increased faster than population in this country, but between 1914 and 1927, with the number of wage earners increasing about 20 per cent, horsepower advanced about 75 per cent. In other words, this advance was made within 13 years after the open saloon had reached the height of its power (9). Since prohibition was adopted, the whole industrial picture in this country has changed. Precision methods have come in which rendered obsolete many processes considered standard when the Armistice was signed; and these precision methods absolutely require a force of workmen who are sober.

Mass production is here to stay. It is based upon the fact that modern business is able to work out estimates of production costs because the factors of production can be depended upon. The workmen—their regularity, efficiency, and endurance—are the chief of these factors. Interfere in any way with the regularity of their production, as liquor always does, and the modern way of doing business and producing on a large scale would be at an end. Great business executives have warned against this. It is simply impossible to conceive the irreparable damage which would ensue in this machine-managed country of ours if, after ten years' relief from the saloon, its equiva-

lent should be brought back again under some form of Federal or state control.

Herbert Hoover, while Secretary of Commerce, stated that in his opinion prohibition had increased the efficiency of the individual worker to upwards of 10 per cent, and gave prohibition as one of the causes for increased national efficiency since 1920 (10). Another of our industrial leaders feels so keenly the necessity of sobriety in modern industry that he is quoted as saying:

If the law were changed, we'd have to shut down our plants. Everything in the United States is keyed up to a new pace which started with prohibition (11).

So much for industrial efficiency. An avalanche of hard, cold facts demonstrate the impossibility of continuing the sale of liquor in the modern industrial world, chiefly because of its ruinous effects on production. But in addition to the problem of efficiency, the problem of safety assumes such significance with the increased use of machinery that liquor has come to be regarded not only as the greatest source of waste but as the greatest source of danger in modern life.

We have been examining the effects of alcohol on production. We have listened to what prominent business men have to say as to the effect that a relicensing of liquor selling would have on industry. Of even more importance to the aver-

age person, however, is the very pertinent question of the effect that the legal sale of liquor would have on his own personal safety. If liquor were made more accessible, either by the repeal of the Eighteenth Amendment or its modification, would it make the streets and highways more unsafe? Would our children be endangered as they walked to and from school? Would modern life be more worth the living or less?

During the last year of the saloon, 1919, there were more than seven and a half million automobiles in this country, counting pleasure cars, trucks, taxis, etc. In 1930 there were about twenty-eight million (12). That is, since prohibition became operative there has been an increase of automobiles on the highways of the nation of about 270 per cent. There is one automobile for every 5 persons in the United States; one for every 31 in England; one for every 37 in France; and one for every 118 in Germany (13).

Now let us use our common sense. Can anyone maintain with a straight face that life would not be immeasurably endangered by the legalizing of liquor? Is it not perfectly evident to everyone that such a change has come over this country in recent years that to make liquor accessible again, even under the strictest control, would simply be out of the question? The statement may be made that modification is being sought, not to increase the amount of liquor available but to decrease it;

yet anyone who will exercise his intelligence for a moment knows that it would not work that way. It will be shown in a later chapter that, according to the highest estimate of consumption yet made, the amount of liquor now consumed constitutes a great reduction when compared with the amount consumed before the Amendment was adopted. Any legal sanction of the sale of beverage alcohol always very decidedly increases that sale. If more liquor is being drunk now than would be if it were under control, how unwise it is for the liquor interests to be spending the sums of money which they are in the effort to change the present system.

Legalization of any variety would simply constitute an opening wedge to conditions such as we had before prohibition, and one cannot escape the conviction that no one knows this any better than do most of the wets.

A machine is simply a device for handling power. The past century has witnessed the most astounding release of power throughout the world, and particularly in America, that the race has ever experienced. In fact, this release of power has been so great that nothing in the past can be in any way compared with it. Power means responsibility. Power in the hands of a mature and well-trained man is a benefit to society. Power in the hands of anyone unfit to use it constitutes a public menace.

Everyone today, or almost everyone, handles machinery—and machinery is a device for using power. The fact has come to be widely appreciated that power carries with it responsibility, and so complex is our life that irresponsible persons cannot be allowed to handle much power. Differences in natural ability, training, physical handicap, etc., often contribute to making a person irresponsible; but nothing contributes to irresponsibility so much as alcohol. It has been proved beyond the least doubt that a man handling machinery after taking even a small amount of alcohol is a loss to an employer and a potential source of danger to himself and others.

Five thousand one hundred and ten little folks killed in 1927!

The thought that 5,000 children, born in travail and raised with loving care, are killed by motor cars in the United States each year is a terrifying one. Even more terrifying is the reality portrayed in automobile accident reports for last year, which were not available when our former editorial was written.

These figures, as compiled by one of the great insurance companies, indicate that 7,345 children of ages up to fourteen years were killed in 1930. In the same age group 223,259 were injured—more than a fifth of the total number injured, of all ages (14).

We live in a new world, and prohibition is the result of that new world. It was not just the church, nor primarily the church, that brought about the adoption of prohibition. *It was the onward march of events in a nation committed to the use of machinery and the efficiency and safety that the use of machinery requires.* To talk about attempted control is to talk in terms of the nineteenth century, prior to the almost complete industrialization of our country. Any anti-prohibitionist who attempts to associate progress and liberalism with the modification of strict prohibition is just talking nonsense. Prohibition is not the result of old-fashioned notions of morality; it is the result of new-fashioned methods of production and transportation. It is not a puritanical movement in any sense of the term. Prohibition of the use of liquor would have been the last thing in the world to which the Puritans would have subscribed. The attempt on the part of the national government to take off the market the commodity which above all others makes a mechanical age dangerous and inefficient is only partly a moral problem. What piled up majorities in its favor in 1919, and what can be relied upon to hold majorities in its support now, is the fact that liquor drinking, always a moral problem, had in those latter days become the most troublesome industrial and social problem with which the twentieth century has had to deal. Liquor, the

perennial evil, became in a machine age a nuisance also.

Given about a 75 per cent increase in horsepower in this country and a 270 per cent increase in the number of automobiles in little over a decade, and all suggestions that liquor should be legalized and made more accessible in the interests of temperance, safety and progress should be referred to the "Ugh-huh" Department.

When the railroads adopted the famous Rule "G," which forbids an employee to drink or frequent places where intoxicants are sold, a great movement was started which ended in the adoption of the Eighteenth Amendment. It was partly moral in character; it was predominantly economic. Since that time, many millions of people have started to drive automobiles—each person an engineer running a powerful machine, not on steel tracks but on the open highway.

The Eighteenth Amendment was the extension of Rule "G" to include all engineers—those on the highway as well as those on the railway. Thirst, avarice and sentimentality will have a pretty hard time convincing the American public that the rule should be abrogated.

The United States Department of Commerce has formulated rules prohibiting the use and transportation of alcoholic beverages by pilots in air planes. In a recent survey made among the flying

schools and commercial air transportation companies, not a school or company was found to have a good word for the use of alcohol; all condemned it for the sake of life and prosperity (15).

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CHAPTER IX

PROHIBITION AND DOLLARS

In December, 1926, the American Economic Association held its annual meeting at St. Louis. Professor Irving Fisher, of Yale University, presided at a Round Table on Prohibition. In order to make sure that "discordant views should be presented" Professor Fisher, himself a convert to prohibition, went to much trouble to secure the attendance of any economist who, it was believed, would support the wet side. Writes Professor Fisher:

I got a list of the economists who are supposed to be opposed to prohibition and wrote to them; they all replied either that I was mistaken in thinking that they were opposed to prohibition or that, if we were going to confine the discussion to the economics of prohibition, they would not care to respond. When I found that I was to have no speaker representing the opposite point of view, I wrote to all American economists listed in "Minerva" and all American teachers of statistics. I have not received from anyone an acceptance (1).

Professor Fisher adds in his book, *The "Noble Experiment"*:

This was the best attended table at the St. Louis meeting. No paper was presented opposing prohibition on economic grounds.

There was a reason for this. Even the most ardent anti-prohibitionists have little to say against the economic benefits produced by prohibition. They do not claim that if we had liquor we would be more prosperous; the furthest they go is to deny that prosperity and prohibition are very intimately related.

But all others—not only the enthusiastic dries, but entirely disinterested economists and others who have examined the situation—are unanimous in their opinion that, regardless of what else may be said against prohibition, it has been an economic and industrial success. It has brought huge returns to the country in terms of dollars and cents.

Now in order to avoid any misunderstanding let it be stated in the beginning of this chapter that *no sensible supporter of prohibition claims for a moment that all the prosperity of the past ten years has been due to prohibition.* No such complex social phenomena as the increase of our national wealth and income, can be explained by only one factor. Many things enter into the creation of such a state of affairs. But that prohibition has been, to say the least, one of the chief factors of this economic improvement in the nation at large

is a position to which almost every investigator is forced by a calm and dispassionate review of the facts.

I have before me, as I write, a graph showing the per capita savings in the United States from 1899 to 1928 in terms of 1913 dollars, and also the assets of life insurance companies and building and loan associations (2). It does not take a trained economist to see that something startling happened in 1920. Beginning that year, all three of these items started to mount in a manner without precedent in the past. They not only *started* to mount, but have persisted during all these years. In not a single year did they show any inclination to turn about and go the other way.

Here is a picture of a little automobile marked "1919," and a very much larger automobile marked "1925." When one sits down with pencil and paper and works out the ratio existing between the number of cars in this country the last wet year, and the number at the end of the first six dry years, he finds there was an increase of about 160 per cent. Another set of pictures shows that the use of household conveniences, such as bath tubs, electric irons and enameled kitchen sinks, has increased in an almost unbelievable manner since 1920—the year in which prohibition became operative (3).

There are two things to be said about this improvement in economic conditions. The first is

that it has occurred at a time when, according to every known rule, we should least have expected it to occur. There had not been a corresponding improvement in other countries; in fact, quite the reverse. Europe, ever since the war, has been in an alarming state economically. By every principle with which we have been familiar in the past, the depression in the United States in 1920-21 should have been far more severely felt than was the case. As a matter of fact we pulled out of it in a very short time; and as we did so, there was a constant high rate of increase in the purchasing power of the population, with a demonstration of their credit power in instalment buying. After the depression was past, this country entered into a period of prosperity the like of which has never been known.

The present depression came about as a result of factors in no way connected with prohibition. Prohibition has from the beginning conserved values and turned vast amounts of income into the purchase of articles which the poor and middle class could never have dreamed of buying in the day of the saloon. The "crash" and the subsequent decline came about in the first place because of a fever of over-extensions on margins in stock speculation. The decline of commodity prices, the condition of the gold supply throughout the world and the economic and industrial depression existing among other nations, which

started before our depression and largely caused it, also contributed to the debacle of 1929. Prohibition for ten years preceding this had been contributing to national prosperity. Had not the factors mentioned above come in to disturb this situation, conditions would certainly not be what they are now. Prohibition was one of the chief factors of the prosperity preceding the crash. By no reasoning whatsoever can the conditions of the past sixteen months be in any way connected with prohibition. Furthermore, if from three to six billions of dollars were being spent annually for liquor today, not only would this country be in a more desperate state than it now is, but the prospects of recovery would be so far in the future that pessimism might well reign supreme. With all our unemployment and reduction of income in 1930, no country in the world has had living conditions even approaching ours. At the depth of the depression the streets were still filled with automobiles and the places of amusement were crowded. This would not have been possible if we had had either saloons or government dispensaries offering people the opportunity to spend on drink the money now going into everything which elevates the standard of living.

The first unusual aspect of the whole situation was that this improvement occurred at a time when we should least have expected it under ordinary circumstances.

The second unusual aspect of the situation has been that the prosperity was of an entirely different variety from any we have ever known before. Prosperity before meant the enrichment of the comparatively few. The condition of the wage earner did not change very much in spite of periods of general prosperity. During the past ten years, however, there has been in the whole life of the wage earner an improvement which is not only without precedent in the history of this country but in the history of the world. In 1920 an automobile was a luxury. There is scarcely an area in the United States today where the automobile is not considered as necessary a part of household equipment as electric lights or a telephone. Think of it! For the first time in history the great mass of the population in one of the largest countries in the world is actually enjoying comfort and luxury. England at the same time is taxing wealth until it hurts *in order to give doles to the poor*. There have been many times in the past when the enterprisers at the top and the upper middle-class, upon whom they relied for management, have enjoyed somewhat prolonged periods of prosperity; but the prosperity, which began in 1920 and—with the exception of the depression of 1921—persisted until the last months of 1929, elevated a class for whom that was a new experience. At the end of ten years of prohibition there had come over this country an unprec-

edented change in the way the common people lived. Something unusual had happened in the economic set-up of the nation.

Was it the war? War destroys values; it does not create them. If one wants proof of this he has only to look at Europe as she desperately struggles to restore the losses sustained during the war. Was it science? Europe has a greater number of distinguished men of science than the United States. If science alone could effect this change, Europe would have effected it long ago. Was our prosperity due to the fact that we were rebuilding and restocking the decimated countries of Europe? As a matter of fact the amazing aspect of America's prosperity was not her export trade, but the unbelievable increase in domestic consumption, due, in turn, to an increased purchasing power on the part of the general public.

One of the chief causes of this unprecedented situation can be stated in one sentence: The money formerly spent in connection with a parasitic trade had been turned into constructive channels. There is quite a difference of opinion among economists as to how large our annual drink bill was before the war, and how large it would have been after the war had we had a drink bill under circumstances similar to those before the war. Some place the figure as low as \$1,500,000,000, and others as high as \$3,000,000,000. Professor Fisher, in his book, *Prohibition At Its Worst*,

takes the latter figure and seems to defend his position with gratifying success. But in addition to the \$3,000,000,000 actually spent over the bar each year for liquor, another stupendous amount must be added when the increased productivity of the worker is taken into account. In estimating this amount, Professor Fisher simply adds to the drink bill \$3,000,000,000 a year more, making a total—in his opinion—of \$6,000,000,000 saved to the country annually by the adoption of prohibition (4).

He says:

. . . Even the critics referred to do not venture to argue for a lower rather than a higher figure. They simply maintain that no concrete figure ought to be given.

These criticisms relate mainly to that half of the \$6,000,000,000 ascribed to impaired efficiency of workers. This is less than 5 per cent of the total productivity of the country.

The testimony shows that some increased efficiency is generally observable. If the increase were, in any observed case, less than 5 per cent, it seems quite preposterous to believe that it could be observed at all by the naked eye of ordinary observation. . . (5).

Add to this the fact that Mr. Hoover, while Secretary of Commerce, according to Professor Feldman, ascribed to prohibition “an increase of efficiency in the individual worker of upwards of

10 per cent, stating in positive terms: 'There is no question that prohibition is making America more productive' '' (6).

On the other hand, it is conceivable that we may have saved even more than has been estimated. Certainly, something startling has happened to industry in this country since the adoption of the Eighteenth Amendment, and no reputable economist today denies that prohibition has been one of the important factors of this increase.

The reason why the old liquor traffic produced such fearful waste was threefold.

In the first place, liquor wasted men. It would be superfluous to dwell on the ruinous effects that liquor produced among the confirmed alcoholics. A heavy and steady drinker simply became an economic liability. He didn't pay his keep. He dropped out of the list of producers and became an economic parasite. But the number of confirmed alcoholics was comparatively few. The waste through alcohol—next to the money spent—came chiefly from the impaired efficiency of the worker. At one time the American employer believed that liquor made his workers more efficient and furnished them daily rations of grog and rum. As time went on, however, it became apparent that rum did no one any good, and that even a little indulgence was liable to spill over into an occasional spree which disturbed the schedule of production in shop and factory. Then came mass

production and the efficiency methods incident to it. Even the moderate user of alcohol began first to limp in the industrial procession, and at last drop by the wayside; *and so long as we had liquor, mass production could go just so far and no farther.* The shutting off of the liquor supply in 1920 showed the world for the first time what workmen could do if freed from the handicap of alcohol.

Science has, in recent years, measured the effect of alcohol. Take, for instance, the work done by Dr. Walter R. Miles at the Carnegie Institution of Washington. Dr. Miles is not a professional prohibitionist. He has no stake in the matter except the gathering of accurate scientific data. In his profound work entitled *Alcohol and Human Efficiency*, he states a case against even the most moderate use of alcohol which is designed to silence the best informed anti-prohibitionist. By the ruthless accumulation of fact upon fact, he refutes the statements which are made in defense of moderate drinking. Alcohol impairs efficiency. It wastes men.

In the second place, alcohol killed the desire for things. In the case of a hard drinker the opportunity to get drunk was about all he asked for in life. The more he drank, the less he wanted to eat, and worst of all, the less food he provided for his family. In the case of the moderate drinker—and the great mass of the American people were

fairly moderate in their indulgence—just enough of his wages went for drink to keep him from being an extensive buyer. Mass production reduces the cost of an article. These benefits depend upon the existence of a large class of buyers who are not necessarily rich, but who have just enough margin of spending money to enable them to get something more than the actual necessities. It has been estimated that among the workingmen in general five per cent of their wages went for drink; and among those who were consistently heavy drinkers, twenty per cent. It was with this five to twenty per cent that the articles which improve living conditions could be bought. The diverting of this percentage of wages from liquor, in the case of hundreds of thousands of industrial workers, made possible in the workingman's home the washing machine, the electric iron, the telephone, the gas range, the phonograph, the radio and the automobile. It meant carting the old, threadbare parlor furniture up into the attic and buying a new over-stuffed set for what had come to be called "the living room." In the days of the saloon the drinker himself was perfectly satisfied if he had alcohol, and his family had to put up with what he chose to give them. Liquor deadened his desire for other things.

Then came the Eighteenth Amendment. The swinging doors no longer beckoned him. The "boys" no longer lugged him into the saloon and

treated him—with the expectation that he would return the favor. For the first time in his life he found himself with a small surplus of cash, and the members of his family, particularly his wife and daughters, were full of suggestions as to how to spend it. These little amounts, available in the millions of American homes, account very largely for the astounding spurt in trade which began with the closing of the saloon and continued for almost ten years. The American workingman—first among the workers of the world—had a chance at last to indulge his natural desire for things. This had an astounding effect on domestic production and consumption.

The third economic disadvantage of liquor was that the traffic involved only a few processes of production. Mr. Samuel Crowther, in his admirable book, *Prohibition and Prosperity*, analyzes this aspect of the question in a most convincing manner. The making and selling of liquor did not require the employment of nearly so many men as did the manufacture of other articles. It paid out a small amount in wages compared with other industries. Comparatively speaking, only a very few people reaped any profit from the making and selling of liquor.

For instance, Hammel points out in *The Passing of the Saloon* that

In 1900, the liquor industry paid \$57,656 in wages for every million invested. At the

same time, the total capital invested in all manufactures paid \$234,467 per million. . . .

In 1900, a million of capital invested in the liquor industry purchased \$139,959 worth of raw material. At the same time a million of capital in all industries averaged the purchase of \$278,957 of raw material. Or, putting the figures in another form, while the manufacturing establishments of the United States purchased \$7,377,907,079 worth of raw material, the liquor industry purchased \$66,822,712 worth, or only *nine-tenths of one per cent!*

Again, a million of capital invested in the production of malt and distilled liquors, produced a commercial value of \$698,887. But a million invested in general industrial enterprise created a product value of \$1,311,285.

Comparing the malt liquor industry, with a capital of \$415,284,468, with the wool manufacturing industry, with a capital of \$415,075,713, it appears that the liquor industry employed only 39,532 persons while the wool industry employed 264,021 persons (7).

In the liquor traffic it was necessary to employ only a very few men to manufacture and sell the product. Every million dollars invested in all other forms of manufactures together, from 1880 to 1914, and even to 1919, gave employment to over four and one-half times as many men as did the liquor traffic and paid out nearly three times as much in wages (7a). Such facts should silence

the ridiculous suggestion being made by many people today that to legalize beer and reopen the breweries would hasten the return of prosperity. As a matter of fact nothing would so surely delay it.

Viewed from the ethical standpoint, the liquor traffic abundantly demonstrated that it was criminal in its motives and practices. Viewed economically, the liquor traffic stands indicted as a parasite. It enriched a few and impoverished many. It circumscribed the economic life of the nation; and in a way which was only partly appreciated before 1920, it preyed upon the whole industrial life of the country and immeasurably hindered progress.

Ten dollars invested in liquor meant ten dollars distributed among a few people. Ten dollars invested in shoes meant ten dollars distributed among many people: the rancher who furnished the hide; the tanner who prepared it; the men who made the nails, the thread and the cloth which went into the making of shoes; the multitude of skilled workmen employed in the shoe factory; the wholesale shoe man; the retail shoe dealer; the property owner from whom store room was rented. But in the case of liquor it was entirely different. There was a huge profit for the brewer and distiller who employed few men in the manufacture of their product. There was another huge profit for the wholesale and retail men, who also,

in view of the capital invested, employed but few men. The drinker paid high for something which cost the producers of it very little, and thereby not only reduced his own efficiency, but reduced the efficiency—that is, the buying power—of his money.

Money spent on liquor sets few chains of purchase in operation. Money spent on what a family wears, eats, or rides about in, sets many such chains in operation.

Entirely apart from its effect upon the industrial producer, liquor, viewed economically, is a ruinous liability.

The key to the whole matter lies in that released five to twenty per cent margin in the wage and salary of the average drinker. It made mass production possible. Formerly the man spent it over the bar. Now he and his wife together spend it on the home and family. There is a pitiful type of woman today who in her eagerness to be in style and keep up with a high-ball-shaking circle of society, plans liquor parties with her husband and transacts business with the bootlegger at the kitchen door. But this woman, both from the economic and moral standpoint, is inconsequential. She does not spend anywhere nearly so much for booze as the average drinking man did in the old days of the saloon. She is not the typical American woman. The typical American woman is as dead set against liquor as she was a generation

ago; and, if she happens to be the wife of a former drinker, she is busy today equipping a home and outfitting a family with many things which simply would have been out of the question so long as the saloon held sway.

Before prohibition, washing machines were a luxury. There were less than a million a year sold and few but the well-to-do ever bought them. In 1928 there were around six million washing machines sold. In that same period the number of electric refrigerators rose from two thousand to over twelve hundred thousand (8). There were about seven and a half million automobiles in this country in 1919, and twenty-eight million in 1930. All of which indicates not that a few persons have had good fortune, but that something has happened to increase in unprecedented fashion the purchasing power of the nation at large. When the wage-earner's home comes to have many appointments which were formerly possible only in the homes of the well-to-do, something startling has happened in the wage-earner's circle of existence. Regardless of what other factors may have entered in to change the situation, the diversion of from one to three billion dollars from the parasitic liquor traffic to more productive channels of commerce and industry is sufficient to account for a great deal of it.

Take the milk and ice-cream business for instance. While a small amount of milk is a

necessity, the abundant feeding of milk to growing children is something which was practically impossible in the drinker's home in years past. Today the milk business is much larger than ever before, not because the rich are drinking any more milk than before, but because the people of moderate means are buying it, chiefly for their children (9). Furthermore, investigations have disclosed that the workingman who some years ago washed his lunch down with a can of beer, now often drinks a bottle of milk which he can buy at the factory restaurant. Over fifty per cent more milk is now being consumed in this country than was consumed in 1917. Ice cream, purely a luxury, experienced a 55 per cent increase in production between the years 1916 and 1925. The population during this period increased less than 15 per cent. While the population of New York City increased only 6 per cent between 1920 and 1926, the number of eating places in the city increased 43 per cent (10). In 1914 the United States Post Office Department reported average deposits of \$111.82 per depositor. In 1928 the average per depositor was \$369.05 (11). Except in periods of depression few people other than those of humble means and foreigners use Uncle Sam as a banker. Increases of this sort indicate that great numbers of people who never had a surplus before have it today. If the Eighteenth Amendment is working hardship in the country

and is detrimental to public interest, it seems very strange that the great mass of our citizenry should be so much better off financially than they were in the days of the saloon. Savings accounts increased in number from 1919 to 1928 about 117 per cent. In 1920 the per capita savings deposit in this country was \$144.86 (12). In 1930 it had mounted to \$232.01 (13). Life insurance policy holders increased in number 64 per cent the first eight years of prohibition. The increase in industrial insurance, largely bought by the wage earner, about doubled in amount the first eight dry years (1920-27) as compared with eight of the last wet years (1910-17) (14).

Wherever economists delve into the turmoil of industry, they find experience giving favorable testimony in behalf of prohibition. Just recall again that Professor Fisher could not persuade *one* economist in the United States to defend the anti-prohibition cause *on economic grounds*. While there are many people today issuing adverse statements on prohibition, few of them are intimately connected with industry. There are exceptions, but they are few. Many business men, who loathe prohibition as a personal restraint, testify to its benefits among the population at large, particularly among their own workers. The most outstanding figures in the industrial life of America are, for the most part, heartily in favor of absolute prohibition.

Says Henry Ford:

Alcohol is a deterrent of both managers and men. We cannot permit it in business or in anyone responsible for business. . . . Prohibition in the Constitution is notice that we are going to remove another disease from our country. And I expect to live to see the work fully accomplished.

Mr. Edison is reported by Samuel Crowther to have said:

We are steadily developing to a point where drinking will not fit into any of our programs in or out of the shops (15).

Alfred P. Sloane, Jr., president of General Motors, has said:

Having been intimately connected with industrial problems for many years, I am thoroughly convinced that prohibition has increased our national efficiency, has added to the purchasing power of the people and given us an advantage in our competition for foreign trade (16).

J. C. Penney, owner of an extensive system of chain stores in small American cities where the "real folks" live, has recently said:

. . . Eventually our stores were located in every section of the country. With the growth of local option and state-wide prohi-

bition I had the opportunity to note that when a section went dry, the store in that particular section always had an increased business. *Since national prohibition our business has increased many times over.* This increase cannot all be credited to prohibition. But it is the almost unanimous testimony of our store managers that a very large part of the gain has come from the spending by the wives and mothers of these communities of money that the husbands and fathers formerly spent over the bars (17).

Regardless of what other criticism may be brought against prohibition it has undoubtedly contributed heavily to the prosperity of the country. The fact that we are now in a period of depression does not alter this fact. We had ten full years of prohibition before the slump came, so that anyone who would blame the Eighteenth Amendment for the slump which has persisted for little more than a year must account also for the relation of prohibition to the years of prosperity which preceded the slump. The latter is comparatively easy to do. The release of from three to six billions of dollars annually from a parasitic trade and its diversion into channels which led to legitimate industries account largely for the widespread increase in production and in the purchasing power of the mass of our people.

Prohibition pays.

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CHAPTER X

THE STATISTICIAN SPEAKS UP

Has prohibition decreased drinking?

If it has not, no benefit we may credit to its account will be of any avail. It may have made America richer, safer, more efficient. If it has not made America more temperate and sober it has not fulfilled its purpose. It was adopted for the sole purpose of reducing and eventually abolishing drinking. It is there that it must show results.

In this very important matter prohibition has been extremely successful. No constitutional amendment could be expected in ten years to eliminate completely an indulgence which has been widespread since the dawn of history, nor to break the power of an industry which is still largely intact and spending plenty of money to spread its propaganda. There is nothing magical about the operation of any law. Only about eight per cent of the country's crime, according to President Hoover, is due to violation of this law (1).

Some people believed that when the Eighteenth Amendment was passed all drinking would immediately and forever cease. No law ever produces that effect, and this law should not be

expected to do what other laws cannot do. Because it has not produced miraculous results many people are ready to denounce it as a failure. It is holding up about as well, however, as any other of our laws. Robbery increased 80 per cent between 1910 and 1927 (2). Between 1910 and 1923 commitments for drunkenness per 100,000 population decreased 55 per cent (3).

It is claimed that people drink because we have a law which tells them they can't. If this were true, then it would probably account also for the fact that some people steal. If it applied to tipplers, it would also apply to robbers. If people can't be made temperate by law, neither can they be made honest by law. Therefore, if the way to make men temperate is to repeal the Eighteenth Amendment, the way to make them honest would be to repeal the laws against robbery; and the matter becomes especially worthy of notice as a solution for lawlessness, when we recall that the crime of robbery is increasing while the crime of drunkenness appears to be decreasing. Moreover, if the way to cure lawlessness is by repealing the laws which certain people insist on breaking, let us not begin by repealing this law, under which drunkenness, according to government statistics, has decreased. Let us begin by repealing the laws against robbery, which in approximately the same period of time had been unable to prevent a considerable increase. What's sauce

for the goose is sauce for the gander. If the principle would work in behalf of temperance, what a godsend it would prove in the interests of honesty.

As early as 1926, Mr. Hugh Fox, secretary of the United States Brewers' Association, estimated that we were drinking in this country about 11.97 gallons per person (4). He failed to inform the public, however, that during five of the last wet years, before any restriction whatsoever had been placed on the liquor traffic (1910-14, inclusive), the people of this country were drinking 22.43 gallons per person (5). In other words, according to Mr. Fox, the amount of liquor consumed in 1926 was about 53 per cent of what it was in the old days of the saloon, which means that we have had a reduction of at least 47 per cent in liquor consumption in this country. Even if Mr. Fox's figures were correct, prohibition would still be open to congratulations as having reduced drinking more than any other measure which has ever been tried. Between 1900 and 1910, when the United States Brewers' Association "had the stranglehold," drinking increased 23 per cent per capita. Mr. Fox urges the return of beer, which was largely responsible for this increase, because of the "failure" of the Eighteenth Amendment, which, not in ten but in seven years, according to his own figures has decreased drinking 47 per cent.

The estimate of Mr. Fox can, however, be definitely laid aside as inaccurate. There is no statistician in the country who does not regard it with amusement. It simply does not meet the test of reliable statistics. Moreover, Mr. Fox's connection with the United States Brewers' Association lays him under slight suspicion at least of being an interested party. To have the leading officials of the brewing interests in the United States, however, confess that the Eighteenth Amendment decreased drinking 47 per cent in seven years is a compliment which prohibition supporters cannot afford entirely to disdain.

But other more accurate and more recent estimates show the decline to have been much greater than Mr. Fox supposes.

There are three recently made estimates of liquor consumption which warrant serious examination. All of these use government statistics as the basis of their reckoning. One is valuable particularly because it represents the worst the anti-prohibition group can say against the Eighteenth Amendment.

Let us look first at this estimate made by the Association Against the Prohibition Amendment (6).

The claim is here made that we are drinking in this country today 9.05 gallons of liquor per person, and that at current bootleg prices we are spending about \$2,800,000,000 for it.

This estimate is valuable, like all recent estimates, because it indicates to some extent at least the profound decline in drinking that even the wets are willing to admit prohibition has effected. Just remember that the average per capita consumption of liquor in the United States from 1910 to 1914, inclusive, which were typical wet years, was 22.43 gallons per person. Now when we divide 22.43 into 9.05, we get .40. That is, assuming for the time being that the figures of the Association Against the Prohibition Amendment are entirely correct, drinking today is only 40 per cent of what it was when the selling of liquor was legalized. Or to put it another way, we are drinking 60 per cent less liquor today, according to wet figures, than we drank before we had prohibition.

Now anything which reduces drinking 60 per cent cannot be called a failure. Between 1900 and 1910 there was an increase of drinking in this country of 23 per cent. By what reasoning, therefore, is the Association Against the Prohibition Amendment led to advocate the repeal or modification of prohibition, when this policy has decreased drinking 60 per cent—according to their own figures—and their proposed remedy increased drinking in this country in an equal number of years 23 per cent? Furthermore, if prohibition has decreased drinking in this country 60 per cent in ten years, is it not perfectly apparent that what we need is not a return to the old

system which enormously increased drinking but to the more vigorous prosecution of the policy which even the wets themselves admit has brought about an enormous decrease in drinking?

So far as the economic aspect of the situation is concerned, does the Association Against the Prohibition Amendment mean to suggest that if we are spending a great deal of money for liquor now we would spend less if the Amendment were to be repealed? Examination of their figures under any circumstances indicates that we are drinking 60 per cent less than we did during five of the last wet years, and, when these data are applied to the economic situation, they constitute a very telling argument for prohibition and a very good reason why we should not give it up but enforce it more strictly. If what the Association decries as miserable enforcement reduces drinking 60 per cent, what would real enforcement do?

If we do not have prohibition, to what then shall we turn? That is a fair question which the anti-prohibitionists should be required to answer. Shall we turn to beer and wine? Three states tried out this "reform" in past years and found the drinking evil so greatly increased when compared with prohibition that they repealed the measures with decisive majorities (7).

Shall we try state control of the liquor business? South Carolina gave this policy a trial for twenty-two years and suffered not only a great

increase in bootlegging, as compared with the old saloon days, and a steady increase in the consumption of liquor but a political corruption which extended from the capitol to the petty offices of the townships. South Dakota had a similar experience. Would the liquor situation be improved by taking its supervision out of the hands of the Department of Justice in Washington and putting it into the hands of Tammany in New York State and into the hands of the corrupt Philadelphia ring in Pennsylvania?

Shall we try the Canadian system? The anti-prohibitionists admit that during the ten years we have had prohibition our liquor consumption has so decreased that we are drinking today 60 per cent less than we did when liquor was legalized. Canada has had the dispensary system now for some years, and, from 1923 to 1929, the consumption of hard liquor increased 80 per cent; beer and other malt liquors, 74 per cent; and wine, 390 per cent (8).

Very evidently there is but one alternative—we must have either prohibition, which has decreased liquor drinking at least 60 per cent, or some system of attempted control or modification, which without exception has never permanently decreased drinking but increased it immeasurably after the first years of the new regime when compared with prohibition eras. Furthermore, is it not perfectly evident that the manufacturers and

sellers of liquor will do all in their power to increase the sale of their product no matter what system we have, and that therefore "temperance" schemes which emanate from the liquor interests, as some of the current schemes do, have as their ultimate goal the selling of just as much liquor as possible? If people are so intemperate under prohibition, the liquor interests should be overjoyed and satisfied. Above all they should not be urging, through subsidized propaganda agencies, systems of liquor distribution which would lead people to be more temperate than they are.

The figures of the Association Against the Prohibition Amendment indicate that drinking has been decreased in this country 60 per cent. Following this announcement by the Association, Colonel Amos W. W. Woodcock, Prohibition Director of the United States, issued a statement regarding possible production of liquor (9). This estimate shows that there was a possible production in this country during the year ending June 30, 1930, of over 870,000,000 gallons. Now when we divide this number of gallons by 122,775,046—the population in 1930—we get 7.1. In other words, about 7 gallons of liquor per capita may have been produced in the year ending June 30, 1930. Divide 22.43—the per capita consumption in the United States from 1910 to 1914, inclusive—into 7.1, and the result is .31. In other

words, the production—and, by inference, the consumption—of liquor in the United States may, according to the Prohibition Bureau, be 31 per cent of what it was in the 1910-14 period. Or put another way, drinking in this case has been decreased 69 per cent as compared with a typical wet period.

The opponents of prohibition, however, will probably say:

Granted that there has been a reduction of 70 per cent in the total amount of liquor consumed, you are not taking into account in your estimate this very important fact that, whereas in the past people drank great quantities of beer, which is a light liquor, they are now drinking very little beer but tremendous quantities of high-powered whiskey and other hard liquors.

In answer to that we quote from the monograph issued by the Bureau of Prohibition in September, 1930, on the possible production of illegal liquor in the United States for the fiscal year ending June 30, 1930.

They compare the quantity of spirits, wine and malt liquors consumed in the year 1914 with the estimated possible production in 1930, and in conclusion say:

The absolute alcoholic content of these liquors (in 1914) is estimated at 166,983,691 gallons, or 1.705 gallons per capita. (Popu-

lation 97,927,576.) This indicates a per capita probable production of absolute alcohol for beverage purposes (in 1930) of 35 per cent of the 1914 rate of legal consumption (10).

On the basis of *absolute alcohol*, therefore, the government indicates that we are drinking 65 per cent less than we did in 1914.

There is one more estimate which should receive serious attention.

Robert E. Corradini, secretary of the Alcohol Information Committee and one of the best-informed men on liquor statistics, made an estimate, in 1926, on liquor consumption, the details of which are to be found in Chapter XIV of Professor Fisher's latest book, *The "Noble Experiment."* The results are given in terms of absolute alcohol and the per capita consumption is based upon male population of fifteen years of age and over. Upon request a year corresponding to that upon which one of the other estimates was made has been recalculated to gallons of liquor and on a basis of total population. Thus the total gallons of liquor consumed per capita in that year becomes 4.18. Divide this 4.18 by 22.43—the per capita consumption for the 1910-14 period—and .18 is obtained. That is to say, according to this estimate, drinking has been decreased 82 per cent as compared with the wet period, 1910-14. When we recall that this estimate has been made by a

careful statistician, using data furnished him by the government district laboratories in which tests of seized liquor are made, we can readily see that an estimate like this is not to be passed by lightly.

Now let us review these three estimates with which we have been dealing. For the sake of ease in recalling them let us approximate the results in round numbers:

The Wet Estimate (Association Against the Prohibition Amendment)—60 per cent reduction in liquor consumption since prohibition was adopted.

The Official Government Estimate (made under the supervision of Colonel Amos W. W. Woodcock, United States Director of Prohibition)—70 per cent reduction in consumption of liquor since prohibition was adopted.

Estimate of Robert E. Corradini (thoroughly informed on the liquor question throughout the world; estimate concurred in by Professor Irving Fisher, head of the Department of Economics, Yale University)—80 per cent reduction since prohibition was adopted.

Let the reader accept any of these estimates. This is the gist of their conclusions:

That drinking in this country has certainly been reduced 60 per cent since the adoption of prohibition, that it has probably been reduced 70 per cent, and that two very accurate statisticians

maintain that it has been decreased 80 per cent.

Whether viewed at its worst or at its best, prohibition is not a failure.

Would the American people not be foolish, therefore, were they to modify or abandon the only system this country has ever tried which has resulted in stabilized decline of liquor consumption and substitute for it some scheme which we have tried and found unsatisfactory?

The way to make the nation more sober is not by modifying the prohibition laws but by more earnestly supporting and enforcing them. We have tried everything else—and drinking has always increased. We have tried prohibition and, in spite of the greatest handicaps, have reduced drinking 60 per cent according to the wets and almost 70 per cent according to the estimate made by the government.

The moral appears to be perfectly plain: *Let us have more prohibition, not less.*

In connection with the general subject of liquor consumption, the question of deaths from alcoholism should be examined. This resolves itself into three practical and significant questions upon which every citizen interested in prohibition wants to be informed.

In the first place, are people being killed off today, as the newspapers say they are, by poison liquor? Over nothing does the wet press work up a more alarming temperature than over the

deaths from denaturants, particularly from wood alcohol, introduced into industrial alcohol by the "nefarious Treasury Department."

Let us recall the reason why the United States Government tries to render industrial alcohol unfit for beverage purposes.

This was a practice begun over fifty years ago. Its object is solely to protect manufacturers who use alcohol in the making of certain types of goods. Alcohol, as we have already noted, is becoming each year a more important factor in industry. There are scores of articles which simply could not be made without industrial alcohol, and these articles are in no way connected with the human weakness for liquor (11). The making of rayon silk, for instance, requires millions of gallons of industrial alcohol each year. If this alcohol were potable—that is, drinkable—a certain percentage of it would undoubtedly be stolen and diverted for beverage purposes. To prevent this the government many years ago decided to mix with pure alcohol other ingredients which would make it unfit for drinking. No one objected to this until the Eighteenth Amendment was adopted. Then the hue and cry went up that the government was poisoning its citizens. Newspapers reported hundreds of deaths from wood alcohol and young people made blind for life by taking one drink.

Probably no fact presented in this book will

surprise the average uninformed reader more than the assurance that statements of this variety are almost entirely false, and are definitely put out as wet propaganda. Dr. James M. Doran was, until July 1, 1930, Prohibition Commissioner of the United States and is now Commissioner of the Bureau of Industrial Alcohol, which is supervised by the Treasury Department. Dr. Doran is said to be one of the best chemists in this country. In an address at Yale University in 1929, he said:

The term "poison alcohol" as applied to industrial alcohol is not only unwarranted, but there can be no good reason based on fact for the application of such a term. The manipulating of denatured alcohol and the production of a partially cleaned alcohol for illicit beverage purposes will not produce any so-called "poison liquor." . . . (It has been) found that symptoms of wood alcohol or methanol poisoning are not apparent until its concentration in a mixture with ordinary ethyl or grain alcohol has reached about 35 per cent. The maximum content of wood alcohol in any formula authorized for industrial purposes is 10 per cent. *Before a person could ingest a fatal dose or a fatal quantity of wood alcohol from a 10 per cent mixture, he would have had to take into his system several times the fatal quantity of ordinary ethyl or grain alcohol (12).*

Dr. Reid Hunt, of the Harvard Medical School,

experimented extensively to find out whether or not people were being killed by the denaturants in alcohol which had been used in making bootleg whiskey or by the alcohol which all whiskey contains. He came to the conclusion, says Dr. George H. Bigelow, Commissioner of Public Health of Massachusetts, that:

Ethyl alcohol, then, is, has been, and always will be a poison which cannot be tolerated by the body in excess, and in the vast majority of cases, "alcohol deaths" are due apparently to excessive use of "good, pure alcohol" (13).

In fact, the old poison liquor scare is being shown up as one of the most picturesque of modern fairy tales. Many people today are being poisoned by liquor. They have not, however, been poisoned by the denaturants the government puts into industrial alcohol *but by ethyl alcohol itself*. the ingredient which intoxicating liquor has contained from the beginning of time. People today die of poison liquor because they drink too much alcohol. In the old saloon days many also died from the same cause, but without any newspaper comment on the "nefarious practices of the government."

It is well to bear in mind Dr. Doran's statement that, to be killed by wood alcohol from a 10 per cent mixture, one would have to take into his

system several times the fatal quantity of ethyl or grain alcohol.

When people die today from alcoholism, their deaths are the result of drinking plain, straight alcohol and are not caused by the denaturants. As Dr. Doran said recently to the writer:

More people have been killed off by "good liquor" than were ever killed by "bad liquor."

Fortunately, though, it seems likely that the whole controversy over the supposedly evil effects of denaturants will be settled by the use of a new denaturant. On January 1, 1931, the government began using a recently discovered denaturant, known as alcotote, which is said to be non-poisonous. It has an offensive odor and will produce nausea but not death.

Another question of real moment to anyone who wants to know the truth about prohibition is whether deaths from alcoholism have increased or decreased since prohibition was adopted.

They have decreased. There are some who take great satisfaction in pointing out that the number of deaths from alcoholism in certain eastern cities is almost as high as in the old saloon days. These cities, however, represent only about 7 per cent of the population of the entire United States (14). Let us look rather to the total for the registration area of the United

States. In 1920 the rate of deaths from alcoholism fell to about 19 per cent of the pre-prohibition rate of the wet periods, 1910-14, or 1910-17, or 1910-1919. In 1927 and 1928 the rate was within 76 per cent of the pre-prohibition rate but fell back to 71 per cent in 1929. Or expressing it another way, over the entire registration area of the United States there has been a decrease in the death rate from alcoholism of 41 per cent in the ten years of prohibition (1920-29) as compared with the years 1910-14, or a decrease of 39 per cent as compared with the ten years before prohibition (1910-19), during which time, we must not forget, we had several years of war-time restrictions with consequently lowered rates (15).

Mention might also be made of the results of prohibition upon the deaths from cirrhosis of the liver, a condition associated with alcoholism. In the registration area of the United States the death rate from this cause has decreased 46 per cent in the ten years of prohibition as compared with the years 1910-14, or 40 per cent as compared with the ten years before prohibition (16).

Will any sensible person maintain, in the face of the significant decrease in death rates from alcoholism and cirrhosis of the liver, that this situation will be made better by giving in to the wets and making liquor more accessible, or by carrying out the nationally adopted policy of prohibition and enforcing it more stringently? It is

begging the question to say we can't. If we can't enforce a law concurred in by forty-six states and adopted by tremendous majorities, how can we ever hope to enforce any law? If we have to give in to the outlawed liquor traffic now, to how many other varieties of outlaws will we have to give in during the next century? Are we not simply encouraging sinister forces everywhere to increase their power and giving them to understand that if they grow strong enough the government will let them alone? (17).

If as many people are dying from alcoholism in some wet areas of this country as before prohibition, there is need in these areas not of less prohibition but of more. The fact that there has been a decrease in the number of deaths from alcoholism taken the United States over, shows what could be done if we would only do it. Prohibition is the only policy up to the present which has ever made any real difference in this matter.

How about general health? Has it improved; and if so, is prohibition a contributing factor?

Dr. Louis I. Dublin, statistician of the Metropolitan Life Insurance Company, says that "over half the total population (of this country) has experienced a very favorable mortality" since prohibition was adopted, and that we are saving each year the lives of approximately 17,500 young people under twenty years of age (18).

No such results have ever been experienced in

any wet period. No matter how poorly enforced the Eighteenth Amendment may be, it is helping in the saving of more lives than have ever been saved in any similar period of the country's history.

Dr. Haven Emerson, in the *Survey Graphic* asserts that:

The death rate from cirrhosis of the liver fell to 54.3 per cent (since the adoption of prohibition) and has never been nearer than 57.4 per cent of the pre-prohibition level.

The general death rate (all ages, all causes) has for the entire post-prohibition period been at a lower level than in any single year before prohibition.

The tuberculosis death rate has fallen for all ages and for both sexes and for both whites and Negroes faster than for any previous period.

Admissions to mental-disease hospitals for alcoholic psychoses have been at a lower rate in proportion to all admissions since prohibition than for any previous similar period of time.

There has been apparently a reduction in the incidence of cases of drug addiction, coming under hospital care, at the same time that there has been a reduction in hospital admissions for acute alcoholism (19).

Testimony is widespread in medical circles that the improvement in health in America since the advent of prohibition has been very marked—

much more so than in any previous period—and that prohibition is one contributing cause (20).

How about crime?

One of the strangest situations in modern life exists with reference to crime. Almost every one feels that there has been and possibly still is a serious crime wave passing over the country. One authority on the subject has estimated that crime is costing us each year about thirteen billion dollars (21). The newspapers are certainly creating the impression in everyone's mind that crime is rampant and on the increase.

It came as a surprise to everyone, therefore, that the report of the United States Bureau of the Census showed a decrease of 37.7 per cent in crimes of all nature in 1923 over 1910. There has been a marked increase in robbery, one of the few crimes indicating increases. This crime has experienced the stupendous increase of 83.3 per cent. Most other forms of crime have decreased from ten to seventy per cent (22). Arrests for drunkenness, according to police department returns from almost 800 cities, have shown a decrease—when increased severity of police in making arrests is taken into account—of almost 70 per cent in 1920 and of about 40 per cent in 1928, with 1916 as the 100 per cent base (23).

This does not mean that the general situation of lawlessness in the United States is not alarming. It is. Any attempt to gloze over a situation

which is costing the American people each year many billions of dollars, would be an inexcusable mistake. There is no doubt that the criminal element is organized today as never before, and that they carry on "business" with a daring which constitutes national scandal. The appointment of the President's Commission on Law Enforcement and Observance was timely. We can temporize with crime no longer. The only contention of prohibition advocates is that, bad as the crime situation is, it is not so serious as when we had the saloon, and that, far from increasing crime, prohibition has tended to reduce it.

A well-known eastern daily made the statement recently that prohibition "has filled our jails and penitentiaries with a new class of felons, and that it has bred a social and political corruption that no other enactment, noble in purpose, has ever produced in the whole history of the republic" (24).

Statements of this sort simply do not stand the test of facts.

Wherever the statistician collects data, he discovers an improvement in conditions since prohibition without parallel in our history. Something happened to America in 1920. No sane person would for a moment attribute every social benefit of the past ten years to prohibition. The only statement which can be made in fairness is that prohibition has been a factor, and probably

the chief factor, of a social and economic improvement which undoubtedly occurred during the decade following prohibition. Many other factors entered into this improvement; but anyone who fails to acknowledge prohibition as an important factor does so at variance with the best-informed opinion of the day and absolutely without the support of carefully collected and properly understood statistics.

Liquor drinking and poverty have always gone hand in hand. In 1900 the Committee of Fifty estimated that 25 per cent of all persons receiving aid from charitable organizations did so either because of their own intemperance or that of some member of the family (25). As late as 1916 twenty-five important welfare associations reported that intemperance was a factor in dependency in 16.5 per cent of the cases which came under their observation. The year 1917 showed the same per cent in twenty-seven organizations. In 1919 there was a marked decrease in the per cent of cases. The first three years of prohibition saw this factor less than one-fourth of what it had been in 1916 and 1917. Since then, owing to the growth of the illicit traffic, intemperance as a factor in cases of poverty has more than doubled; notwithstanding, it is at that only about 55 per cent of what it was in 1916 (26).

No economist in the United States denies that prohibition has greatly benefited the poor. Drink

has always been one of the chief causes of poverty and destitution, and with the coming of prohibition poverty and destitution began to wane. Regardless of how much the rich and well-to-do may indulge in liquor consumption, the poor and those in moderate circumstances are not being systematically robbed by the liquor interests as they once were. Accordingly, conditions among the poor are everywhere better. If one points to present unemployment as evidence indicating the contrary, let him ask himself where we would be in this time of depression if there were saloons on every corner as there once were. Or where would we be, for that matter, if we had any form of legalized liquor sale with liquor more accessible than it is? A new day dawned for the poor with the coming of prohibition in 1920. Things have been different ever since. We don't see the drunken men on the street we once did. The charity organizations have about half as much trouble with liquor as they had in the day of the saloon.

Says Evangeline Booth, who probably knows the poor better than anyone in the country:

Why try to tell us that workingmen spend their wages before their families can get the money for food and that men beat their wives and children as in the old days? It simply is not the case.

A certain newspaper polled the social workers attending the National Conference of Social Workers at Des Moines, Iowa, May, 1927. By a vote of 9 to 1 about 450 of these professional workers among the poor went on record as being in favor of the strict enforcement of prohibition because it had reduced drinking and benefited the groups among whom they worked.

School attendance is a rather reliable index of conditions in the home. There has been a very marked increase in the number of children attending schools and colleges since prohibition became operative. Between 1920-26 the school attendance rate was 2.11 greater than the population rate, whereas the corresponding increase in 1910-20 was 1.73. The increase was more apparent in states which had been wet before the adoption of the amendment, thus indicating that prohibition, a brand new factor in the situation, was not to be ignored as a contributing cause (27).

In addition to all the facts given above, let us recall further that there has been less delinquency from alcoholism since prohibition was adopted; that there have been fewer crimes against chastity; that there has been less brutality and neglect of children as a result of alcoholism; that many institutions for treating alcoholism have closed their doors since prohibition was adopted; that conditions among the aged and infirm in county and other poor farms have improved; and that

the mean ages of alms-house inmates have increased from 44 to 66 years in the case of men and from 33 to 61 in the case of women; that there has been an increase in the per capita consumption of milk and milk products since 1920 greater than in any similar period before prohibition (28); and that, from questionnaires sent to hundreds of industrial firms, the conditions among workingmen were in a large majority of cases reported to be improved.

Place these facts against the desire of a certain portion of our population to drink, whether or no, and the case for prohibition seems to stand in a very satisfactory fashion.

Prohibition is not a one-hundred per cent success. Neither is anything else which human life and institutions have evolved. No sane person believed, or at least had any right to believe, that by the passage of a law one of the world's greatest evils would be wiped out never to reappear. The passage of the Eighteenth Amendment was the greatest step in moral reform ever taken by a whole people. But it was only a step. Congress could not alter the fact that there were hundreds of thousands of people with the desire for alcohol well formed and, such being the case, these people would continue wanting liquor and taking every means possible to get it. Congress could declare liquor-making illegal, but Congress could not compel the breweries of the country to dis-

mantle, nor could it prevent their spending millions to defeat prohibition and change the law. What the drys forgot was that the passage of the Amendment was a step, and only a step, in banishing beverage alcohol from the mind and equipment of modern man. There still remained as much work to be done in the interests of sobriety after the passage of the Amendment as before. The present so-called "reaction" against prohibition is really not a "reaction" at all, but the result of high-power propaganda directed for years against a dry nation in which anti-liquor education had almost ceased with the outlawing of the traffic. The drys have largely forgotten why they are dry, but the wets have never ceased to tell the world why they are wet; and in spite of facts, in spite of appearances to the contrary, many who want prohibition to succeed are beginning to doubt that it can.

The only cure for this defeatist state of mind is to face facts. Under the most grilling investigation prohibition, theoretically and practically, stands the test. It is philosophically sound, legally enjoined, economically profitable, socially beneficial and morally right.

That's a combination hard to beat.

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CHAPTER XI

NEW STYLES IN OLD VICES

We have examined the claims of both wet and dry organizations relative to liquor consumption under prohibition. The wets admit that drinking has been decreased 60 per cent. The United States Government ventures the opinion that it has been decreased 70 per cent. Two very distinguished statisticians claim that it has been decreased 80 per cent. The average of these three estimates is 70 per cent.

Suppose that this average is correct. A very serious problem still remains, however, in the consumption of the 30 per cent. Assuming that we are drinking 70 per cent less than we did in a wet period, such as the years 1910-14, what are we going to say about the fact that in a country which absolutely prohibits the making and selling of liquor 30 per cent as much is being consumed today as before we had prohibition?

Of course this 70 per cent reduction constitutes the most stupendous achievement ever made in the interests of sobriety, and this fact is entirely overlooked by the wets. No other system ever tried, either in the United States or Canada, has ever permanently reduced drinking. All attempts

Oasis on Wheels



Cellaret wagon, solid mahogany, two compartment drawer, one side porcelain lined. 8 highball, 8 old fashioned cocktail, 8 cocktail glasses, 4 decanters and all accessories. Complete, \$160.

THIS perambulating cellaret wagon carries all the revivifiers necessary to those not on the wagon in person. Everything from ice tongs to porcelain lined humidor... and now that the price has been reduced from \$195 to \$160... no home that's really entertaining should be without one.

WHO'S RESPONSIBLE FOR THE CRIME WAVE?

Those who support the Constitution, or those who defy it? There is still a demand for such equipment.



(From the New Yorker, courtesy of Reginald Marsh.)

'Y' see, since we put the good beer in, we're getting a better class of people.'

at regulation have ultimately resulted in increased consumption. It is true that upon the introduction of any system of regulation there is invariably a marked reduction in consumption, but the reduction is always followed by an increase with a tendency toward the previous level. Prohibition stands unparalleled, however, with a conservatively estimated record of 70 per cent.

But it cannot be denied that with even 30 per cent as much liquor being consumed as formerly a problem of real magnitude confronts the American people. Who is drinking this liquor? To what extent is its manufacture and sale corrupting the government and debauching the public? What is the remedy for this situation?

The anti-prohibitionists are very confident that with the passage of the Amendment many otherwise law-abiding citizens were goaded into breaking what they regarded as a ridiculous piece of sumptuary legislation. They assert, furthermore, that all the aversion to liquor formerly entertained by the average citizen because of a long tuition in temperance was ruined by the adoption of a fanatical policy like prohibition. Young people everywhere, they tell us, are openly flouting the law, and a few more years of this iniquitous legislation will undoubtedly result in the complete corruption of youth.

If these things are true, they constitute a desperately serious situation. The only way to find

out whether they are true or not is to examine the facts with reference to these statements as we have examined them with reference to others.

The first thing to remember in trying to figure out who is drinking the liquor being made and sold today is that the old saloon had created a great number of alcoholics, and these social liabilities were carried over into the prohibition period. Many of them have died. There are still many, however, who got their start before prohibition, and conditions since its adoption have not led them to be more temperate. Men who have the alcoholic habit will not easily be made different by law. The hope of prohibition is that it will prevent any considerable number of new alcoholics being turned out.

The alcoholic is a left-over from the old saloon days, and he consumes not a little of that 30 per cent still being illicitly produced and distributed.

The rich drinkers are also a baneful legacy inherited from the past. Let no intelligent person be persuaded that the rich have begun their drinking since 1920. The more truthful statement is that many of them have continued their drinking habits with unabated zeal since the adoption of the Amendment. Almost every rich home had its supply of liquor in 1910 precisely as in 1930; but the fact that it was legal then caused it to be very little talked about and almost never made the subject of boasting. Today the game of getting it

and the bravado of drinking it furnish the greatest thrill imaginable to a bored and sophisticated crowd who always hunt for new thrills. They are probably not drinking a great deal more than they ever did, but they are trying to drink just as much as they can; and they serve with the cocktails a lecture on the moral obligation of red-blooded Americans to be lawless which does infinitely more harm than the liquor itself.

The rich are drinking today, but they always have been. Before prohibition, business men who made a habit of drinking usually drank quite a bit during working hours. Some do still. But in the overwhelming majority of cases the rich protester against prohibition drinks most of his liquor either in his home or in the homes of his friends; and with all his talking and boasting there is every reason to believe that the comparative scarcity of good liquor which prohibition has brought about has actually reduced his drinking along with that of the rest of the population. In fact the reasons for believing this are so convincing that they very largely account for his hatred of prohibition.

Almost everyone intimately acquainted with the drinking habits of the rich feels very confident that when they are bitterly opposed to prohibition the chief reason is not because prohibition does not prohibit, *but because it does*. The man of large affairs dislikes having to fool around

with a bootlegger. It would be very much more convenient, as well as more respectable, if he were able to place an order with a legalized merchant and get what he wants in the line of liquor delivered at his house with no more trouble than when he places an order for groceries. It irks and irritates him to have to select a bootlegger on the advice of his friends, deal with him surreptitiously, and then in the end not know whether he is getting what he paid for or not. The rich have never had to submit to much public discipline, and the fact that their fellow citizens have decided in the interests of public welfare to hedge about with restrictions the drinking habits of the individual citizen, regardless of his social position, is simply more than some rich men and women can endure. Many of the most ardent supporters of prohibition are wealthy. All the wealthy do not drink. But many do; and their drinking largely represents a pre-prohibition survival goaded into rebellion because the government has presumed to regulate the habits of everyone, including a class which up to the present has been able to do about as it pleased.

The element of fear is also a factor in the rich man's protest against prohibition. He may be able to get liquor any time he wants it, but every time he samples a new consignment it is with the lurking fear that some murderous bootlegger has this time sold him a concoction which will either

kill or produce blindness. Much of the rich protest against prohibition arises from the fact that, while the rich can get all the liquor they want, they cannot get safe liquor; and one hundred and twenty million people are expected to put themselves under the bondage of a legalized liquor system again in order that certain rich drinkers may drink as safely now as they did ten years ago.

It must never be forgotten that the Eighteenth Amendment went into operation at the beginning of the most profound moral decline which the nation has experienced in a century. The war undoubtedly resulted in the lowering of moral standards all along the line. Many people, who previous to the war had looked upon drinking as a sin, came to feel after the war was over that many of the old taboos were stupid and unnecessary. The enforced restraint of the war made them feel justified in going on a moral holiday after it was over. The passage of the Nineteenth Amendment gave woman a new place in the social and political life of the nation. This emancipation had been effected not only in America but in Europe also. Woman had formerly sat in judgment against drinking, and, even in homes where temperate social drinking was practiced, women did not as a rule drink with the men. Since 1920 the changed attitude of woman toward liquor has been one of the most influential factors in the encouragement of lawless drinking. Drinking in 1910 was a man's

game, carried on in the saloon and club. Drinking in 1930 has become a social game, practiced by certain men and women of the rich and upper middle-class; and the fact that woman now considers herself free to do anything a man does has led some women to become the most determined supporters of anti-prohibition movements.

It should be remembered, however, that these women represent even a smaller minority than the drinking men. *Taken as a class, the women of America are the best friends prohibition has,* and in the educational campaign of the next ten years they will play the same influential part they have in the past.

The alcoholic and the rich drinker constitute a class carried over from pre-prohibition days. Neither intends to stop drinking, and, until death reduces the number of the former and social disapproval becomes strong enough to deter the latter, they will still continue their drinking habits and make the enforcement of the law difficult. Add to this comparatively small group the larger group of the upper middle-class who try to ape the rich, the business man who has gotten into the habit of taking a cocktail when it is offered, the men and women who have no desire for liquor one way or the other but serve it to avoid embarrassment, and the variety which go along with the crowd because they're made that way, and one can account for most of the liquor now being con-

sumed which, according to the Association Against the Prohibition Amendment, is only 40 per cent of what it was before prohibition, and according to the United States Government only 30 per cent.

The statement is often made that young people are drinking much more since the advent of prohibition than before. As a matter of fact young men are drinking less. The comparative inaccessibility of liquor as well as its cost has operated against his indulgence in about the same way as it has against the population in general. Even granting that as many young men drink today as formerly—which is probably not the case—the conclusion to which any wise observer is forced is that they do not drink as much. It was the presence of legalized liquor on all sides in the old days which caused the per capita consumption to mount. The fact that a man could at any time of the day, and a good part of the night, step into a saloon and buy all he could drink caused the population as a whole to drink at least two times and probably three times and perhaps five times more then than now. We make a great mistake when we segregate young people as a class and think of them as being different from the rest of society. Their reaction toward life is frequently about the same as the reaction of their elders, much as the elders may protest this and try to forget the days when they put on a great deal of “side” to impress the generation immediately

preceding them. What holds good for people in general holds good for youth in particular. Even if as many are drinking as formerly, they are not drinking as much.

Almost 250 college presidents have testified that drinking among college students has greatly decreased, and high-school principals throughout the country are even more confident that accounts about dissolute youth have been greatly exaggerated.

The contention that prohibition is causing increased drinking among young people is absurd. Their present revolt is a world-wide phenomenon. The most superficial reading of modern English novels reveals that cocktail-drinking youth are giving non-prohibition England about as much concern as they are giving prohibition America. If prohibition makes young people drink in America, what makes them drink in England? The answer is simple: a widespread decline of moral standards following the World War—as it has followed every war—and the ready accessibility of liquor. Repeal, after partial restraint for ten years, would precipitate the most alarming debauchery, especially among young people, that the nation has ever witnessed.

Even if they were drinking as much or more than formerly, by what reasoning does anyone arrive at the conclusion that the situation would be made better if liquor were made more acces-

sible? The intimation that drinking youth would sign the pledge and sprout wings if the Eighteenth Amendment and the Volstead Act were to be repealed is simply too absurd to warrant consideration. Experience has long since established the principle that drinking increases in direct ratio with the increased accessibility of liquor.

As to drinking among women, it is undoubtedly true that the new status of woman has resulted in an increase in drinking among members of that sex. However, let us never forget the several hundred-thousand prostitutes in pre-prohibition days. These women consumed every year many times over the amount of liquor which could be consumed today by several million moderate drinking women. Commercialized vice has tended to disappear with the passing of the saloon, and, while the modern drinking woman may be consuming a great deal of liquor, it is doubtful whether she is consuming as much as did the great multitude of prostitutes in former years.

This does not mean, however, that drinking among girls and women is not serious. It is the most serious situation the country confronts or ever has confronted. In all fairness, however, it should be recalled that this condition exists in non-prohibition countries as well as in prohibition America, and that therefore prohibition cannot be blamed for this deplorable state of affairs. It is undoubtedly due to the fact that the relaxing

of religious restraints and the moral decline following the war, coincident with the emancipation of woman and her emergence into the world of affairs on an equal footing with men, have resulted in the wiping out to a large extent of many of those restraints which have characterized womanhood in the past. The young woman now considers she has as much right to get drunk as has the young man; and, since most of the taboos have unceremoniously been swept aside since the war in a spirit of utter abandon, more girls from good homes are drinking today than in former times. The only claim of prohibition advocates is that prohibition is not to blame for this. They are doing the same thing in non-prohibition countries. Furthermore, could anyone contend that they would quit drinking if the Amendment were to be repealed?

The situation among youth today is in many respects appalling, and to repeal the Amendment would be to destroy the last hope of betterment. It would turn hell loose on earth, especially among the young people of college age.

Nineteen hundred and twenty marked the death of a habit and the birth of a fad. Evangeline Booth, Jane Addams and thousands of other workers among the poor and people of moderate circumstances are most positive in their statements that the passing of the saloon simply wiped liquor out of the picture in a great segment of

our population. The absence of "Blue Mondays" in industry clearly indicates that the wage earner is not drinking anything like the amount he did in the days of the saloon. Of the amount of liquor now being drunk (thirty or forty per cent of pre-prohibition consumption) only a small quantity is being consumed by the great mass of the people. Even the wets must admit that ten years of the Eighteenth Amendment has left the saloon almost without a friend. That in itself would constitute a stupendous achievement, even if the remaining drinkers were going at it harder than ever before. Drinking as a great national habit has ceased, and in its place has arisen a fad indulged in by the minority who can afford it and have readjusted their moral standards in such a way as to justify it in their own minds. To modify the existing laws in any way would be to invite the fad of the minority to become the widespread and debasing habit of the majority.

It took legislation to break the habit. It will take education to discredit the fad.

The coming of prohibition changed the whole drinking situation of this country. In the first place it greatly reduced drinking. But it did more than that: it redistributed the evil. In the old days drinking was done in the saloon. The American saloon seldom catered to women; only a few of the very lowest order of women were even seen about such places. Drinking was a man's

game. He pushed back the swinging doors on his way home from work every evening. His daily drinking was charged to his account and on pay day his check was cashed by the bartender; and, because he was drunk, he was very often short changed. With a mere pittance in his pocket this noble head of the household betook himself homeward, cursed his wife roundly when he got there and often drove his children from the house with oaths. With the coming of prohibition the temptation was removed and liquor prices soared sky-high. The result was that most occasional drunkards gave up the habit. This was partly due to a lack of opportunity, partly to a change in social style, but especially to the appeal of the automobile. The wage earner, upon the adoption of the Amendment, found liquor too expensive for him to buy and automobiles on the partial payment plan too cheap for him to resist. He very quickly decided where his surplus would go.

Drinking today is for the most part done in the home. Instead of being a man's game it is a man-and-woman's game. Ten years ago a young man got drunk when he went out with the boys. Today he gets drunk when he goes out with the girls. In all former times the man got drunk and came home to his disgusted and long-suffering wife. Today they sometimes get drunk together and try to slip into the house as quietly as possible, so as not to wake the children.

These are extreme cases, of course. Thank God they are few. But the men and women who keep liquor in their homes and serve cocktails and high-balls as their parents served lemonade are not few, and upon them rests the most serious responsibility for many deplorable conditions among young people.

Youth always imitates. Most young people toss their heads and declare themselves independent of everything and everybody on earth, but as a matter of fact they imitate today exactly the same as young people of the past. When they have for their example parents who think it smart to break the law and proper to whet their personalities with a few high-balls, we can expect the children to respond normally to the laws of heredity and environment. One wonders what parents can be thinking about today when they keep liquor in their homes. In order to get it they have to carry on dealings with a criminal. What must be the impression made on children when they know that their parents are breaking the law and see a contraband article delivered surreptitiously to their home? They learn in school to respect the flag and what it stands for. In their own homes they see their parents flouting a law, and hear them ridicule it. Entirely apart from the moral influence, the parents, if they only knew it, are inducing an unconscious conflict in the child's mind between established authority and parental ex-

ample that may some day have a disastrous psychological effect. Ten or twenty years hence, even if the child is temperate, he may be the victim of a distressing mental state for which the thoughtless conduct of the parents was directly responsible.

But the immediate moral influence is even more serious. "If it's right for Dad and Mother to drink, it's right for me," reasons the child, and no one can gainsay such reasoning. Youth always considers middle age slow and behind the times. If Dad and Mother think it all right to buy "Scotch" from a bootlegger and serve it temperately when the guests arrive, youth considers it equally proper to drink as much as is necessary to make "whoopie." The parent who protests that he believes in temperance but not in prohibition might just as well save his breath to cool his porridge, so far as his young folks are concerned. Once the parent by his drinking has placed his stamp of approval on drinking, all his moral influence with the child is gone. He cannot regulate the amount the youngsters will drink—and for the simple reason that he and they drink for entirely different reasons.

The parent drinks because it is the thing to do socially, adds cheer to social gatherings, etc. The boy and girl drink to get a thrill; and it takes a lot more liquor to produce a thrill than to disseminate among middle-aged persons a genial spirit of

good cheer. Furthermore, a thrill means something different to the young people than it does to their parents. The father's drinking will probably not lead him to make advances to his neighbor's wife, but his son's drinking will certainly make him an unsafe companion for any girl in an automobile. A middle-aged woman, set in her habits of life, may not endanger her honor when she takes a few high-balls, but her daughter very decidedly does. As a young girl remarked recently, "When you get a few drinks in you, you don't feel much like arguing."

The parent, therefore, who keeps liquor in the home has simply relinquished all supervision of his children's conduct and handed them over body and soul to their environment. If they go with a fast crowd—and they probably do if they go with the children of their parents' friends—they will be just as fast as the crowd they travel with. They may escape comparatively unscathed. A man fell from the tenth story of an office building recently and was back on the job next day. But even the most optimistic souls will have to admit that such occasions are rare. Ninety-eight persons out of every one hundred do just about what their environment leads them to do. The least children can expect from the man and woman who brought them into the world is a home, the atmosphere and social practices of which will not lead them into indulgence.

The next time someone begins frothing at the mouth over the young people and their behavior, just check him if you can and ask him to save a bit of that froth for the older generation. No one who knows conditions among young people can be optimistic; but young people are generally what their environment makes them, and youthful misbehavior today is largely a reflection of adult selfishness. The bootlegger is the product of middle-age appetite. If he were to lose as his customers the leaders of fashionable society, the public officials who take their oath to stand by the Constitution and then patronize road houses, the young married couples who want to be "smart," and the substantial business man who'll be "damned" if he'll let a crowd of fanatics tell him what he can do or can't do—if the bootlegger were to lose the patronage of this noble bunch he would have to sell his bottles to the rag man and go to work at an honest job.

Parents who keep and serve liquor in the home are not only ruining their own children; they are helping to ruin the children of other homes where parents are doggedly trying to do the best they can by their young people. Drinking parents are as much of a menace to the moral health of the community as typhoid carriers are to its physical health; and it is to be hoped that the day is not far distant when they will be regarded with equal aversion.

Those who sympathize with prohibition should oppose with spirit the accusation so often made that prohibition is causing the ruination of youth. When youth is hurt by liquor today, the example and influence of lawless middle-age is the chief cause. There are some total abstaining parents today who grieve over the dissolute life of children to whom they have always furnished the best possible example. But most boys and girls who drink are the children of parents who drink also. Even where this is not the case, it is undoubtedly true that the illicit traffic in liquor has grown up primarily because of the appetite and social customs of a group of adults who break the law themselves and shriek for its repeal because of lawlessness. They attempt to fasten on prohibition the blame for certain varieties of youthful conduct. Anyone, though, who does any thinking at all appreciates the fact that some young people have been ruined, not by prohibition, but by the practices and customs of the social set in which they move; and these practices and customs have arisen because certain older people are determined not to obey a law they detest, and as a consequence have called into existence an illicit trade which makes liquor available for young and old alike.

Those who approve of prohibition and want to see it succeed should resent the attempt of lawless drinkers to avoid the responsibility for the

drinking among youth by trying to fasten the blame upon prohibition.

Prohibition has not caused lawlessness; it has disclosed it.

CHAPTER XII

KEEPING AMERICA AMERICAN

Three great racial invasions of America have occurred since 1850.

Between 1850 and 1875 millions of Germans left their Fatherland and settled in different parts of the United States. Unlike the European peoples who followed them, they did not congregate along the Atlantic seaboard. While there were sections of the country which with the passing of time became predominantly German in population, these areas were widely scattered. Probably no group of people who ever entered our country—with the exception of the original English settlers—contributed more to the strengthening of our national life than did these Germans. They were a high type of liberty-loving, industrious, law-abiding citizens.

But they brought with them certain traditions relative to drinking which later proved very embarrassing to the country of their adoption. With the widespread growth of temperance most of these Germans responded, as did the rest of the population, to the appeal of temperance leaders and gradually came to adopt the growing American sentiment for total abstinence. The second

and third generations of Germans today are just as loyal to the American system of liquor control as are any other racial group (if indeed people who have been here for fifty years can still be designated as a racial group). There are as many prohibitionists with German names as with English or Scotch names. But it must be confessed that during the early years of the German immigration the brewing interests in this country got their start. Those who caught the spirit of the new country gradually gave up their drinking customs. Those who still held to the European way of doing things continued their beer drinking—although generally quite temperately—and through them and the German brewers the custom of beer drinking so increased that by 1910 there were fourteen gallons of beer being sold to every one gallon of distilled spirits.

The German wave of immigration which began in the fifties proved on the whole a great blessing to America. The dregs of this inundation, however, was the brewery system.

About 1875 came a second invasion—the invasion of the Irish. This new group of immigrants settled for the most part along the seaboard. They also brought with them a certain drinking tradition, and, unlike the Germans, they drank not beer but whiskey. From this racial group has emerged a number of national leaders and not a few people of consequence. However, the restless

spirit of the Irish was not satisfied merely with saloon keeping. They mixed liquor with politics, and organizations like Tammany used them with disastrous consequences both to themselves and to American politics.

The Irish rose to a position of commanding importance within a generation after coming to our shores, and while many of our Irish citizens have contributed much to the development and stability of the country, it cannot be denied that the dregs of this inundation was the distillery system and saloon-dominated politics.

Shortly after the arrival of the Irish, great multitudes of immigrants began to pour into the country from southern Europe and Russia. The Italian and the Russian Jew were the outstanding figures in this group. Most of the Italians were good farmers who turned into good barbers, grocers, peddlers and bootblacks. It is important to note that a great percentage of them always did make wine; but, whereas before prohibition wine-making only gave them the profit saved from license, with prohibition a new market opened and they began to make wine commercially. Being of the soil the easy-going saloon business did not suit them. But when prohibition came about and the chance for intrigues and daring courage was needed, accompanied by demand for plain brawn to "muscle in" somebody's else territory, the Italian was in his element.

Among the leading racketeers now are Sicilians and Neapolitans, who have all the needed elements—the cunning of the Mafia, the cold bloodedness of the Camorra, the brutal strength of the unskilled laborer and as much avarice for money as the rest of them. Not having the inside track as the Irish and the German, they compensated for their handicap by using the bomb and the machine gun. Into this unholy combination a certain type of Jew fitted to perfection. He was not trained for hard work, but, with a genius for bargaining and with plenty of avarice, he completed the combination of elements which brought about this desperate situation; a situation permitted only by such political systems as that flourishing under Big Bill Thompson of Chicago, or a system like Tammany Hall, under which we have had the nicest set of judges money can buy.

The dregs of this third inundation was the gangster.

Whether we like it or not, we have to admit that the eastern seaboard states represent the European outlook on life much more than the American. Europe, with all her tastes and customs, is impinging upon the eastern shore of the continent; and it is a serious question whether we will succeed in keeping America American or whether America will eventually give up its distinctive characteristics and become like Europe.

The descendants of the original settlers occu-

pied the area east of the Allegheny Mountains the first fifty years of our national life, but when the West opened up the hardy young American of English, Scotch, Dutch, and French Huguenot ancestry heard the call of the frontier and responded. They plunged into the uncharted western territory eager to establish a new empire, and as they left the seaboard, immigrants from Europe came in to take their place. In 1790 only one-tenth of one per cent of the inhabitants of New York State were Jews. In 1929 there were 1,835,000 Jews in New York City alone. In colonial days New York City was over 80 per cent English (1). Today between two-and-a-half and three millions of the population of that city have foreign-born parents, and another two million are themselves foreign born (2).

There was little congestion among the first settlers. The great West lay open before them, and as they arrived on the eastern shores many took a new start and settled in areas which have since become the middle and far western states. But shortly after the Civil War, it became the custom of the newly-arrived immigrant to settle down near the port of entry. In fact many of them were brought to this country by industries which were ready to employ them in eastern industrial centers. The result was congestion. People of one nation gathered together in a section of the city, spoke the same language, and adhered to the

same customs they had known abroad. The social result was that these people, chiefly because of their voting power, after they became citizens, began to change the sentiments and customs of the East. They proved too much for the old settlers. They out-voted them and out-bred them. The process was very slow, but wise students of national affairs were well aware of what was happening. *There was being established in the East an area which was only American in name. In custom, sentiments and ideals it was European.* The population in these areas had been largely untouched by influences which had completely dominated American life from the beginning. They had not come to America for the same reasons which had brought the early settlers. The first settlers had come in order to secure religious freedom. The later settlers came for purely economic reasons. At first it was the high-classed yeomanry that came. As immigration increased, the quality of the immigrant decreased, until, with the hordes which came after 1900, there was an alarming percentage of the criminal and pauper class. They began to fill the cities, therefore. Good and bad alike settled down in "Little Italy" or "Little Russia" or "Little Poland." While the police department is reporting today that most of the crimes of violence are committed by the second generation immigrant, school teachers also report that the second generation immi-

grant child is often outstripping the scions of old American stock in scholastic aptitude.

The new immigrant is a baffling mixture of good and bad. His chief characteristic is that, unlike his predecessors, he has not effected any break with European customs and ideals, and as compensation for his lack of ability to make a readjustment he sets up a defense reaction. The original settlers came to found a nation which would be essentially different from Europe. Their idea was not to re-establish the old amid new surroundings, but to establish a type of life which would be different in motive from the prevailing life of Europe. The founding of our nation was a great adventure in new ways of doing things, and the result was a well-defined tradition in things moral and political that was in almost every way unlike the European tradition.

Almost without exception the new immigrant has brought with him the traditional European attitude toward drinking, and this attitude is the attitude which practically the whole of America had before temperance education began a century or more ago. It reflects the conviction that there is nothing wrong about drinking; in fact, that the drinking of liquor is just about as wholesome a procedure as the eating of food.

So much for the new American!

Now while the European way of living was establishing itself on the eastern coast, the

descendants of the old settlers were founding an empire further west. They carried with them the original American tradition. They were serious about their religion, and they were equally serious about free government. It was among this class that prohibition eventually established itself most securely. While the temperance movement actually began in the East, it had its origin among the adventurous early American stock which sensed the idea that America stood for something new in the life of the world. Maine, the most thoroughly Anglo-Saxon of all the eastern states, was the first to adopt prohibition. Kansas and North Dakota, tutored in the original American tradition, were the second and third. Observe in the following list of states, which adopted prohibition before it was adopted by the nation as a whole, how prohibition advanced by leaps and bounds in those states settled by the descendants of the old American stock.

Beginning in 1907 the following states adopted and retained prohibitory laws:

Georgia, Oklahoma, Mississippi, North Carolina, Tennessee, West Virginia, Virginia, Oregon, Washington, Colorado, Arizona, A l a b a m a , Arkansas, Iowa, Idaho, South Carolina, Montana, South Dakota, Michigan, Nebraska, Indiana, Utah, New Hampshire, New Mexico, Texas, Ohio, Wyoming, Florida, Nevada and Kentucky (3).

The ratification of the Eighteenth Amendment

followed much the same order. The states whose population was for the most part descended from the original American stock were the first to ratify. The last states to ratify were New York, Pennsylvania and New Jersey, where the foreign population was most numerous. The only states which refused to ratify were the eastern seaboard states, Connecticut and Rhode Island (4).

Prohibition is not only a distinctively American movement; it is the logical outcome of those principles and customs upon which the nation was originally founded. The first settlers came to America for a serious religious purpose. It was only natural that among them the idea should originate that liquor drinking is a sin. They came to better themselves economically. It was inevitable that as the industrial empire grew they should declare war at last on beverage alcohol which proved itself the greatest cause of industrial waste. Furthermore, they had an unfaltering faith in democracy. They looked instinctively, therefore, to legislation to furnish them the means of dealing with the liquor traffic. Prohibition is not a fanatical policy more or less recent in origin and contrary to the spirit of America. It is in line with the tradition which has come down unbroken from the earliest days of our history. It is based on principles inherent in our national life and institutions. It is essentially American.

The struggle between the prohibition and anti-

prohibition forces is primarily a struggle between an old European tradition and a more recent American tradition. Prohibition is the clean-cut American policy for handling a very ancient evil.

If the European point of view, however, were reflected only in the attitude of the foreign born, the situation would be comparatively easy to handle. But not only has the eastern portion of the country come to have a large foreign-born population; many of the descendants of the old original American stock have also become Europeanized in their opinions and practices. This is due partly to the fact that the eastern coast region is more open to European influences than the rest of the country. Unconsciously the descendants of the old Americans have been influenced by the presence in their midst of so many of the foreign born. Also, until recent years, the sophisticated Easterner traveled much more extensively than the Midwesterner, and thus experienced at first hand the influences of European customs. This being the case, it is not surprising that the East should be much more violent in its opposition to prohibition than are other parts of the country.

This opposition expresses itself primarily in widespread bootlegging. There has always been bootlegging, but the present lawlessness, associated as it is with criminal gangs, dramatizes in a most alarming fashion the struggle between new America and old Europe.

In the first place many bootleggers in the big cities are either of foreign birth or of foreign-born parentage. They are recruited for the most part from the third inundation of immigrants which swept over the country—of which mention has already been made. This does not mean that immigration on the whole has been bad for the country, nor that all recent immigrants share the lawless proclivities of the Chicago gangsters. In dealing with lawbreakers we are dealing only with the criminal dregs. Most of the people who have come to this country in the past seventy-five years have shown that they are ready to be law-abiding under all circumstances, but a small minority has gone into the business of public corruption. In the fore today stands the gangster of Italian extraction, the Irish politician, and the German brewer, supported by corrupt native-born American politicians. They do not represent the great body of immigrants of their different races. They represent themselves and their inordinate desire to profit at the expense of the general public. They have gone into the business of relieving anyone who may be inconvenienced in any way by existing legislation. Their chief source of revenue at present is from relieving those upon whom the Amendment and its supplemental legislation impose a burden.

These little groups are made up of persons upon whom the original American tradition has

made little or no impression. They are avidly engaged, so far as drinking is concerned, in trying to make America European in custom and policy. Because of their inconsequential numbers they would have no effect whatsoever upon the country were it not for the fact that, in the last analysis, they are supported by certain of the old American stock who are likewise more in favor of European customs than of the new American policy adopted in the interests of progress. The attempt to blame prohibition for the rise of the gangster is nothing but the lame attempt of the lawless citizen to hide his guilt. The gangster is the high-powered liquor merchant whose business has become so lucrative because a group of otherwise law-abiding and respectable citizens patronize him. *The present-day drinker has called the liquor gangster into being, and upon him, not upon the nationally ratified policy of prohibition, must rest the responsibility for the alarming condition which gang crime produces.*

The bright suggestion has been made that the way to destroy the gangs would be to repeal prohibition. Does any thinking person believe that if the Amendment were to be repealed the gangs would disappear? It should never be forgotten that liquor selling is only one of the many "rackets," such as the blackmailing of merchants, labor organizations, rich folk, etc. The repeal of the Amendment would not affect these other

“rackets” in the least. So far as the “liquor racket” itself is concerned, modification of prohibition in any way would only result in the slight modification of the present bootleggers’ business methods. The gangster would quickly adapt himself to the changed conditions. If the new system of liquor “control” should be strict, he would bootleg precisely as he does at present. There was more bootlegging under the South Carolina dispensary system than there had been under the saloon, because the dispensaries sold only in the daytime and did not allow drinking on the premises. Bootlegging is the curse of Canada right now, although they have a system of liquor sale which it was believed would remedy certain evils which had arisen under prohibition.

Liquor gangs are the result not of prohibition, but of thirst and greed. There is but one way to get rid of these gangsters, and that is to spoil their business; and the only way to spoil their business is to put public policy before private appetite.

Nothing confronting the public at present is so serious as the crime situation, particularly as it concerns the gangster. He is the warning of what our country as a whole may come to if lawlessness is not checked. But what many people do not realize is that lawlessness on the part of a few could not exist one day without the support of respectable citizens who have a stake in this law-

lessness. "It takes two to make a bootlegger." Almost everyone is ready to proceed with the utmost severity against the dope peddler, who sells what only a small percentage of the public wants. But the bootlegger operates with almost complete immunity in many sections, because he has so many customers among the influential and, sometimes, among the official class.

Every thinking American should get this basic fact well in mind, namely, that the gangster is supported by a group of people determined to have their liquor, law or no law. They are often people of influence to whom such unpatriotic behavior should be abhorrent. The liquor gangster would disappear within a short time were it not for the fact that these respectable citizens of high standing in almost every community keep him going and are making him rich. He works his rackets, does his killing, carries on gang wars, murders the witnesses of crime, and bribes the officials of the law only for one purpose—to *make liquor available for the crowd who want it*. He defies the government for the purpose of providing cocktails for the fashionable dinner party. The men of affairs, who meet at luncheon and have drinks served before, are doing their bit to keep him in power. The genteel woman, who has no desire for liquor but serves it rather than be embarrassed, is contributing to every outrage in which the gangs indulge.

Prohibition has not created the gangs. Gangsters are simply outlaw merchants engaged in providing a contraband article for people who are unwilling to allow any law to interfere with their convenience and custom. The way to get rid of the gangster is not to repeal the Eighteenth Amendment but to enforce it. To modify the Amendment would be to give in to organized crime by confessing ourselves unable to enforce our laws. If we give in to the bootlegger and his patrons today, we will have to give in to other criminals and their respectable supporters tomorrow. Modify the Volstead Act now, and within a decade we would probably have to modify the Harrison Drug Act. If we establish the precedent of repealing laws because certain people refuse to obey them, the end of free government is in sight.

To repeal the Amendment or to modify prohibition in the face of present lawlessness would be to admit that the gang is stronger than the government. To give up prohibition now, and so confess our inability to enforce a law in the face of organized crime, would be to do something which America has never done before, namely, to surrender to an enemy.

There can be no doubt that many fine people today are beginning to doubt the wisdom of prohibition. But as a matter of fact they are doubting something much more fundamental than this particular public policy. They are really begin-

ning to doubt the possibility of democratic government. They are beginning to admit that perhaps it is not possible for majorities to pass laws and enforce them if minorities organize to break them. They would be scandalized at the suggestion that they are supporting the position that lawlessness must be recognized if it gains strength and has respectable backing; but that is about what it amounts to. If we are going to allow any section of the country or any minority to nullify legislation which does not meet its fancy, and especially legislation passed by huge majorities, we are getting ready to adjourn free government.

If prohibition fails let us waste no time about repealing it, but first let us give it a chance to succeed. The assurance of its failure from the lips of those who want it to fail is not sufficient authority to warrant repeal or modification. Let the law be enforced to the extent other laws are, and then if it proves disadvantageous let it be repealed. But to repeal it because some people don't want it and refuse to obey it; to abandon it under the pretext that it breeds crime, and thereby admit that the government is not strong enough to enforce its laws against the will of the gangster, is to give up something of much more consequence than a governmental policy. It means the surrender of what the American prizes most—free government. To repeal the Amendment or modify its supporting legislation in the

face of the lawless defiance of the bootlegger and his patrons would be to take the first step in the direction of ruin.

The Whiskey Rebellion of 1794 was quelled by a determined President supported by the public sentiment that the integrity of the Constitution is of more consequence than the interests of individuals. The situation in 1931 is identical with that of 1794. The question as to whether or not it is wrong to take a drink is no doubt an important one, but that is *not* the question before the country today. *The question before the country today is whether or not a free people can pass laws and enforce them; whether the will of the majority in law or the will of minorities in rebellion is to prevail.*

The struggle over slavery tested the power of the government to maintain its authority in the face of rebellion. On the day of his assassination, Lincoln said to his friend, Major J. B. Merwin:

After reconstruction, the next great question will be the overthrow and suppression of the legalized liquor traffic (5).

What would the Great Emancipator have said had it been disclosed to him that, after pouring out its best blood in 1865 to suppress rebellion, the nation should be discussing sixty-five years later the wisdom of giving in to a rebellious minority actuated by none of the noble sentiments which

sustained the Confederate leaders? This is not a struggle between honest men over conflicting theories of government. It is defiance of the government in the interest of appetite. There is no high-minded and noble Robert E. Lee at the head of this rebellion, deciding, after earnest prayer for guidance, to stand by his state even though it involves rebellion against the Federal authority.

The real leaders of this struggle are Al Capone and his respectable backers. They are going to fight this thing to the last, for they have everything to lose by the enforcement of law. Behind them are many men and women who have no business ever being on any side but the right side. There are a few statesmen who honestly believe that prohibition is not the best way to handle the liquor problem and who have consecrated gifted minds and real abilities to oppose it. But after counting out all such and making a most generous allowance for the thousands and perhaps tens of thousands of people who are honest in their opposition to prohibition and thoroughly patriotic in the methods they are pursuing to try to bring about its repeal, there remains as the very backbone of the movement a multitude of men and women who are determined to discredit a law, which they do not like, by defiantly breaking it. They have created the bootlegger and his crime organization. Without their support the gangster would soon be shorn of his power and brought to

justice. And these are the very people who, after breaking a law they detest, are spreading the tale that it cannot be enforced and are asking the government to repeal it in the interests of law and order. They create the lawlessness they profess to abhor.

For the nation to give in under these circumstances would mean that the Constitution could not be made to operate against lawless and well-organized minorities. This is precisely the situation which Washington confronted in 1794 when the whiskey makers and drinkers defied the new Constitution and the new government.

Washington had the nation behind him then. Hoover has it now; and there is every reason to believe that the thirty-first President will handle this situation with the same vigor and earnestness as did the first.

Prohibition was accepted on its merits. If it is ever repealed, it must be on its demerits, and not because a minority has tried to render it inoperative by defiance.

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2. The World Almanac, 1930, p. 578.
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4. *Ibid.*, p. 451.
5. *Ibid.*, p. 60.

CHAPTER XIII

WHAT WOULD YOU PUT IN ITS PLACE?

The rule was long ago established in debating circles that the burden of proof rests on the affirmative.

The wets are very loud in their affirmation today that prohibition is a failure. If it is, the burden of proof rests upon them not only to prove this but to suggest some policy to take the place of prohibition. Dry votes have established a governmental policy for handling the liquor problem, and that policy is now incorporated both in the Constitution and its enabling Act. The wets dissent from this policy. They are entirely within their constitutional rights in so doing. The dries dissented from the former policy for one hundred years and at last convinced the voters of the country that another method of dealing with liquor should be substituted. For at least forty years previous to the adoption of the Amendment the dries were almost completely united in their support of prohibition. They not only advanced the abolition of one system, but were very specific in the proposal they made for a substitute system. There was nothing hazy and indefinite about the dry proposals before the adoption of the Amendment.

So, having been very definite and concrete in their proposals of a substitute when they were assailing the established system before 1920, the drys are equally insistent that the wets shall be very definite and concrete now in their proposals of a substitute for the Eighteenth Amendment.

If the wets do not like the Eighteenth Amendment and the Volstead Act what do they propose as a substitute?

There have been many proposals made by the wets. It would be impossible to examine all such plans separately, but as they fall into certain natural groupings it might be well for us to examine each of these somewhat in detail.

The first proposal is that we repeal the Amendment—just straight repeal, and let it go at that. Says Governor Ritchie of Maryland:

There is no need for a superseding amendment. Once the Eighteenth Amendment is repealed, the states will have the right under the Constitution to make whatever laws are necessary for local control. The thing to do is to get this sort of thing out of the Constitution. It ought never to have been put in there in the first place (1).

The Association Against the Prohibition Amendment demands redress through the “restoration to the several states of the right of their peoples to enact such liquor laws as they may respectively choose. . . .” To that end it has

passed a resolution calling for the repeal of the Eighteenth Amendment (2).

Several resolutions have been introduced into both House and Senate to the same effect (3).

What do these proposals mean? Simply the return of the old saloon. It is true that the pretense is made that now having learned the evil of the saloon we would not be willing to go back again to that system; but such a statement is on the face of it absurd. To return to the states the right to make whatever laws are necessary for the control of the liquor traffic is precisely what the states had from the day the Constitution was adopted until the day the Eighteenth Amendment went into operation in 1920. There is nothing new in that proposal, except that the new selling places would not be called saloons. But they would be saloons just the same. The old liquor traffic would run them and in many cases own them. Liquor would again dominate politics, and the gangster would quickly readjust his business to take advantage of the new way of doing things. This change would not only be as bad as the old system; having cast out one evil spirit, we would be allowing seven more deadly spirits to come back and take possession of the body politic, and the last state of the nation would be worse than the first.

The proposal to repeal and return to the states the right to settle their own liquor problems is

just a one-hundred-per-cent return to the old-time saloon with no change but a change of name.

The second proposal made by the wets is that we repeal the Eighteenth Amendment and substitute for it another amendment. Governor Roosevelt, in his letter to Senator Robert F. Wagner, has very carefully described this scheme in terms which will no doubt be often quoted within the next few years :

The force and effect of the Eighteenth Amendment can be eliminated, of course, only by a new constitutional amendment. This would supersede and abrogate the Eighteenth Amendment and substitute therefor a new constitutional provision. . . .

The fundamental of a new amendment must be the restoration of real control over intoxicants to the several states. The sale of intoxicants through state agencies should be made lawful in any state in the Union where the people of that state desire it, and, conversely, the people of any state should have the right to prohibit the sale of intoxicants, if they so wish, within its own borders. . . . in many other states a reasonable sale of intoxicants through state agencies would, in the opinion of the great majority of citizens of these states, do much to bring about less intoxication, less corruption and bribery and more regard and respect for law and order. *This latter applies definitely to the State of New York (3a).*

Governor Roosevelt is making to the citizens of the State of New York—and by inference to the citizens of the entire country—identically the same proposal that Governor Tillman made to the citizens of South Carolina in 1893. This system operated in South Carolina for twenty-two years, and proved so unsatisfactory in every way that by popular vote the people repealed it and substituted for it bone-dry prohibition. The South Carolina dispensary system was precisely the same as Governor Roosevelt proposes to establish throughout the entire nation—"the sale of intoxicants through state agencies"—and he makes this proposal after South Carolina had tried the system for twenty-two years, and had then repealed it by popular referendum with seventy-one per cent of the votes being cast against it. South Dakota, in 1898, also tried this system of liquor control and after giving it two years of trial voted its repeal by the most decisive majority ever given in that state on the liquor question.

Although the failure of the South Carolina dispensary system has been described in detail in Chapter VII of this book, it might be well also to quote a few sentences from Colvin's *Prohibition in the United States* in answer to Governor Roosevelt's statement that the sale of liquor by state agencies "would bring about less intoxication, less corruption and bribery and more regard and respect for law and order."

Says Colvin, commenting on the South Carolina system:

The blind tigers . . . were left practically unmolested provided they purchased their supplies from the dispensaries, thus allowing the dispensary a profit. . . . In Charleston, a city with a population of about 55,000, two hundred and eight blind tigers were located within the business district. . . .

The sales (of liquor) practically doubled in the six years following 1899.

This is the system Governor Roosevelt would substitute for prohibition because it "would bring about less intoxication."

Colvin further states:

Under the dispensary system there developed a political machine which for corruption was scarcely exceeded by Tammany at its worst Nearly every man connected with it was besmirched by the corruption The machine, covering the whole state, was able to dominate elections for a dozen years.

. . . One indication that the administration of justice was corrupted and a primary function of government crippled was the fact that in the six-year period prior to the adoption of the dispensary 52 per cent of the criminal cases brought into the courts of the state resulted in convictions, while in the six-year

period under the dispensary only 24 per cent resulted in convictions.

Again:

. . . the quality of law enforcement officers and the jury system degenerated so that it was difficult in some counties to secure ordinary justice. The type of jurors placed on the jury panel was such that a high class lawyer did not want to jeopardize a good case by submitting it to such low type jurors.

This is the system Governor Roosevelt would substitute for prohibition because it "would bring about less corruption and bribery."

Colvin has this further to say about South Carolina's experiment with the sale of intoxicants through state agencies:

(The dispensary system) started to enforce the law with vigor but it placed government in the hands of the worst elements and rendered it almost impotent to perform the normal functions of government. *It was vastly more difficult to try to enforce law with the unlimited sale of liquor through the dispensary going on than where the entire traffic was outlawed.*

. . . The blind tigers could obtain a patronage at a higher price because they were open at all hours and the usual saloon environment attached. They were practically unrestricted saloons (4).

This is the system Governor Roosevelt would substitute for prohibition because it "would bring about more regard and respect for law and order."

The dispensary system has been tried by two states in the Union over periods totaling twenty-four years, not to mention local communities where it was also tried. *Without exception it was a failure.* We need take no one's word for it, not even the word of as careful a student of historical research as Colvin. The fact that after being tried a number of years it was in every case repealed with decisive majorities is sufficient evidence of its failure.

This is the system which Governor Roosevelt suggests to be substituted for prohibition, which with all its vicissitudes has—according to the wets themselves—reduced the consumption of liquor in this country 60 per cent.

The third proposal made "in the interest of temperance" is that the Volstead Act be amended to provide for the manufacture and sale of beer and light wine.

Here again we do not have to rely upon the judgment of anyone in arriving at a proper estimate of the value of this proposal. We have tried it out in three states, and long before any such action had been taken in this country England had tried it out also.

The failure in England has already been de-

scribed in Chapter VII. The very persons who were most confident that the sale of beer would result in the decrease of whiskey consumption were the most anxious, within a few years, to aid in its repeal. The Liverpool Mail stated that

a more pernicious concession to popular opinion, and so prejudicial to public morals . . . , never was made by the blind senators of a bad government in the worst of times (5).

This experiment was also tried in three states in this country: in Massachusetts, Iowa and Georgia; a northern state, a midwestern state, a southern state; an industrial state, a great agricultural state, a state partly agricultural and partly industrial; tried in one state in 1870, in another state in 1858, in the third state in 1908. Surely the American experiment in exempting beer—and in some cases wine—from prohibition restriction had as fair a try-out as any measure could possibly get.

It failed here as in England. All three states, after trying to promote temperance by beer or beer and wine exemption, repealed the measures with decisive majorities.

Here is what responsible persons had to say about it when it was tried in Massachusetts:

Efforts to enforce the prohibitory law, or what there was left of it, during that period

were almost nugatory. In no way, as it seems to me, can a greater blow be given to the prohibitory law, or its purpose be more surely defeated, than by legalizing the sale of malt liquors. (Judge J. Rockwell, Trial Justice and Judge of District Court, Massachusetts).

. . . not exceeding five per cent of the retail dealers who pretend to sell ale, porter, strong beer and lager-beer, confine or limit their trade to malt liquors only. (Chief Constable of the Commonwealth of Massachusetts).

The ale and beer law is a veil that covers all that is vile, and it is one that is difficult for the officers to lift or see through; and, under its protection, every vile compound that ever poisoned the human system may be sold almost with impunity. (Police Commissioners of the State, First Annual Report).

(There was) an increase of over 68 per cent in the aggregate number of crimes, over 120 per cent in cases of drunkenness, in 1872. (Report of the Commission appointed by the Governor-General of Canada) (6).

The Congressional Record of May 7, 1926, contains this account, written by a former editor of the Des Moines News, of how the beer and wine measure worked in Iowa:

The people of Iowa, after trying for a *generation* a plan practically identical with

the "light wine and beer proposal," voted by 30,000 majority in 1882 that it was a failure, and adopted a prohibition constitutional amendment . . . (7).

In Georgia:

. . . the saloons ran full blast (in Augusta), selling whiskey unmolested, and so it was in most of the larger places.

In 1916, Georgia repealed its near-beer law and full prohibition came into effect, with an almost immediate marked reduction in the social effects of alcoholism (8).

We might be willing to give beer a chance if just for once it had succeeded. But there is no record of anything but mounting crime and drunkenness under a beer régime, and decisive repeal as soon as the people got a chance to vote on the measure, which was often not for many years.

Yet scarcely a day passes but some "statesman" announces his conviction, arrived at after the most serious thought, that if we would just modify the Volstead Act so as to permit the sale of beer and wine all the gang lawlessness, bootlegging and intemperance would immediately disappear.

It is possible to advocate such a policy only because very few people know the truth about these measures. This is added evidence of the fact that the education of dry sympathizers is just as essential to the success of prohibition as honest enforcement of the law.

The fourth relief measure proposed for the thirsty is the American adaptation of the present Canadian systems.

Says ex-Governor Smith:

We may well learn from the experience of other nations. Our Canadian neighbors have gone far in this manner to solve this problem by the method of sale made by the state itself and not by private individuals (9).

He is right—we may well learn from the experience of other nations. A so-called system of liquor “control” which has increased in six or seven years the production of spirits 339 per cent, of beer 78 per cent, of wine 406 per cent, and during the same period has increased the consumption of spirits 80 per cent, of beer 74 per cent, of wine 390 per cent, is a system from which we can learn a very valuable lesson indeed. Only it would not be the lesson which ex-Governor Smith would have us learn. With liquor consumption in this country decreased 60 per cent at the very least when compared with saloon days, we would be great fools, would we not, if in the attempt more nearly to achieve temperance and sobriety we adopted a system which in six or seven years has caused such tremendous increases as has the Canadian system?

Listen to a few testimonials by competent witnesses:

Is it our wish to suppress home brew? There are nearly 150,000 known home brewers in Ontario. Is it our purpose to suppress the hip-pocket bootlegger? Government control does not do it. Is it our desire to remove the flasks from the hip pockets of our young people? Flasks are on sale on every business street in Toronto. Is it our desire to diminish the social pressure to drink? We hear in Ontario the familiar tales so well known in the United States.

The startling fact is true today that a member of every other family in Ontario owns a permit to purchase liquor, and if the number of permit holders increases as heretofore, it seems probable that Ontario will yet see the day when the family which does not contain a registered purchaser of intoxicating liquors is exceptional (10).

The editor of the Toronto Globe puts it thus:

The Liquor Control Act was to "satisfy both wets and drys," "banish the bootlegger," inaugurate an "era of advanced temperance," end the drinking in automobiles, the hip-pocket flask parties, and the so-called revolt of youth. In not a single respect has the event justified the promise. . . . The hip-pocket flasks have not disappeared but multiplied. . . .

Year after year Ontario is drinking more wine per head, more beer per head and more whiskey per head. And the consequences are as visible as night after day (11).

Le Gouffre, a publication of a committee of French Roman Catholics, brings out these facts about Quebec:

The woman, who, a few years ago, considered drink her irreconcilable enemy, keeps her most gracious smiles for it today. She no longer refuses the appetizer, and pours out beer and wine for her children on the pretence that they are only light drinks.

Feminine alcoholism in our Province—This is one of the consequences of this unfortunate publicity. Women and young girls drink today without shame. Heretofore in a drawing room, when strong liquors were passed, the ladies and young ladies refused. In our day, everyone takes her little glass. Drinking, thanks to a clever propaganda, has lost its odious stigma.

Today our young girls go shamelessly to the liquor shops, mingling with street fellows, ragged creatures, with drunkards and blasphemers, to buy a bottle of drink, as if it were simply a matter of bread or ham (12).

And so we might go on endlessly. It is true that very little drunkenness is seen on the Canadian streets, but the chief reason for this is because drinking has largely been transferred to the home; and this, because of its effect on women and children, is infinitely more degrading than the old saloon drinking which was mostly a man's game. The way to judge the Canadian system is not by

counting the drunks on the street but by noting the alarming increase of consumption of all kinds of liquors since the "control" system went into effect. Someone's drinking the liquor, and it isn't the American tourist either. One American tourist in every 96 takes out a permit. One Canadian citizen in every 8 takes out a permit. Who, then, is doing the drinking?

So it would seem that ex-Governor Smith's solicitude for the temperance cause in America has led him to make a hasty judgment when he suggested that we try the Canadian system. When we face facts—as we have tried to do all through this book—we find that here as elsewhere liquor has defied all forms of control.

The most recently suggested substitute for the Eighteenth Amendment is a scheme proposed by Mr. Henry Anderson of the Wickersham Commission.

Mr. Anderson's scheme resembles in many respects the system in operation in Sweden and known as the Bratt system. Mr. Anderson believes that the present attitude of public opinion constitutes an insuperable obstacle to the observance and enforcement of the law. He feels that the Eighteenth Amendment is too rigid a mandate, attempting, as it does, to control in like manner all sections of the country. Of course, the same might be said of all laws, but Mr. Anderson favors the modification of only one set of laws

because of certain inconveniences which they involve. He believes that it would be possible to kill off the bootlegger by establishing nationally controlled private enterprises for the sale of liquor which would so undersell the bootlegger that he would have to go out of business. This, of course, does not remove the evil but simply gives another group of people a chance to make money out of it rather than the bootlegger. The sponsor of this method has suggested that since we have successfully regulated the banking system of America through the Federal Reserve Bank and the railroads through the Interstate Commerce Commission it would be equally possible for us to regulate the liquor traffic. His parallels, of course, are not well established, because a class of people entirely different from those who have always carried on the liquor business carry on the railroad and banking business.

Mr. Anderson suggests that the Eighteenth Amendment be repealed and that there be substituted an amendment which would give Congress the right to prohibit the manufacture and sale of liquor in the states which so desire and to permit the manufacture and sale of liquor to be carried on in the states not desiring prohibition. This, of course, would be a return to the old system of state prohibition. He makes it very plain that the dry states would have to enforce their own dry laws within their borders, although Congress

would forbid the importation of liquor from other states. In wet states, however, Congress would regulate the manufacture and sale of intoxicating liquors.

The proposal involves either the formation of a National Corporation, all of the stock of which should be privately owned, or, in the discretion of Congress, a number of corporations, as for example, one for each judicial circuit. This corporation would have the exclusive right to manufacture, import, export, transport and sell intoxicating liquor. It would be under the control of a bi-partisan national commission appointed by Congress. The corporation would be run, of course, for purposes of profit, and there would not be less than 5 and not more than 7 per cent returned to the stockholders. The corporation would return 2 per cent of its earnings per annum against contingencies and as an amortization fund. The remainder of the profit would go into a Federal treasury, or, if state organization should be adopted, into each state treasury. It would be set aside as a special fund in the respective treasuries for educational purposes, "especially as to the evils resulting from the use of alcoholic beverages, and for the education and prevention of those conditions which cause excessive drinking, or which tend to create a demand for intoxicating beverages."

In other words, Mr. Anderson proposes to use

the profits derived from the sale of liquor for the purpose of teaching people what a fearful thing it is to drink liquor. Where he expects to get all the tremendous profit he speaks about—unless he sells his liquor for present bootleg prices—is hard to understand; but his account of the benefits of this plan certainly creates the impression that after paying a good dividend to the stockholders of the corporation, he expects to use the remainder of the profits for the purpose of establishing the Kingdom of God on earth. With the money received from the sale of a commodity which has done more than anything else to create poverty and slums, he would institute a procedure which would soon eliminate poverty and slums. He would expend for the improvement of public health the profits received from a business which brings about more loss of life every century than all the wars of the world combined bring about during the same period. If some good humorist would just take it upon himself to rewrite the Anderson plan and bring out its high lights for the benefit of the general public, he would have the nation laughing itself into hysterics within a few weeks.

This is not an attempt to cast aspersions upon Mr. Anderson. He has sincerely advocated what he believes would constitute a genuine relief for certain present-day intolerable conditions. But an earnest reading of his scheme leaves one with

the conviction that, sincere as Mr. Anderson may be, he has not conceived a plan which would meet with the approval of the American people. Congress has enough to do without having to deal with the liquor question every two years from now until Judgment Day. The Anderson scheme would create a liquor power in politics which would be even greater than the liquor interests outlawed by the Eighteenth Amendment. It would give legal sanction to all the drinking going on at the present time, make drinking infinitely easier and every year, under the sanction and supervision of the government, would create new drinkers and immeasurably increase the total liquor consumption.

Prohibition is the only really courageous policy which any people has ever put into operation. It recognizes the teachings of modern science that beverage alcohol is a narcotic habit-forming drug. It faces the demands of a highly organized industrial society and stands ready to sacrifice convenience and appetite for the purpose of increasing safety and efficiency. It takes experience as its guide and advocates the elimination of a commodity which causes people to acquire a ruinous appetite, and then feeds the appetite by indulgence. The American people have concluded that, in a nation devoted to the cultivation of character and the building of industrial empire, beverage alcohol has no place. It is simply the

survival of an order which is passing. All attempts to conjure up the old Evil Spirit again in the name of temperance, personal liberty, and the suppression of crime constitute what the vulgar are in the habit of referring to as "hooey." Personal interest is too apparent in all these schemes to deceive even the most gullible.

The recently written observation of Arthur Briggs (13) becomes more cogent with the passing of time:

In other words, my brethren, what the wets want is hooch, and don't let 'em kid you.

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CHAPTER XIV

THE ROAD AHEAD

Prohibition is confronting at present the most serious crisis since its adoption.

This crisis is not due to any political turnover. While the Democratic Party made very substantial gains during the last election, these were party gains rather than wet gains. Of 35 United States senators elected, 29 were dry and 6 wet. Twelve drys running for Congress were defeated by the wets, and 11 drys had previously lost in the primaries. There was a wet gain in the House, therefore, of not more than twenty-five new members. This is about five and a half per cent of the membership of the lower House. The so-called wet "landslide" reduced the overwhelming dry majority very little. When one considers that millions of people who voted in 1928 stayed away from the polls in 1930, and that these were mostly drys, the absentee voters just about account for the reduction. House and Senate still remain 70 per cent dry. The newly elected Congress has more dry members in both branches than had the Congress which passed the Volstead Act in 1919.

Politically, therefore, the drys still have a strategic advantage.

The danger lies in other quarters. The wets, for almost the first time in their history, have splendid organization and able leadership. For the past ten years their political leaders have been men of very limited ability. That is not true to-day. They have elected to a number of important positions men of undoubted ability and unquestionable integrity. At the same time the dry leadership has been limping, to say the least. There are many able leaders among the drys, but there is also a great lack of unity. Up to the present time the organizations which could contribute a great deal to the support of this administration have not done so. President Hoover appears to be the drys' greatest asset. He has looked in vain, however, for the support of an able and unified leadership among the drys.

This is not because anything can be said against the honesty and loyalty of this leadership. On the contrary, the dry leaders are as fine a group of consecrated and intelligent men and women as ever instituted a great social reform. Furthermore, it should be said in their defense that their zealous efforts of the past ten years have frequently been met by a most discouraging attitude of indifference on the part of many friends of prohibition who believe that because we have a constitutional amendment the liquor problem has been solved. If the dry leaders have not manifested as aggressive leadership since 1920 as be-

fore this, it is largely due to the apathy of the rank and file of the dry supporters who profess to believe that the struggle is over. However, it must be said in criticism of the national dry organizations that there has not existed among them that spirit of unity and cooperation which victory requires. There has been too much talk and too little action. Conferences of dry workers have too often resulted in nothing but the passing of resolutions. It is encouraging to observe that many of the dry leaders are themselves becoming aware of this and are resolutely trying to put aside everything which would divide and dissipate their efforts. They should realize, however, that the friends of prohibition are everywhere restive, that they are calling for purposeful and aggressive action, and that, if a policy of courageous advance is not soon inaugurated, the patience of the dry constituents will undoubtedly come suddenly to an end.

The only solution is a united leadership, and this leadership should not be chosen from among the professional dry leaders. Some great or outstanding man of affairs, accustomed to administer great enterprises, well known and favorably regarded by the public at large, should be made the generalissimo of the united dry forces of the country. He should have the support of a Council made up very largely of distinguished supporters of prohibition not in any professional way

connected with prohibition movements. The professional workers should of course be included in this Council. The enterprise would not be successful unless it could avail itself of their experience and consecration. But the membership of the Council should for the most part be made up of men who, having been successful in other great projects, could bring a new experience, prestige and vision to the dry cause.

This Council and the Chief-in-Command would probably find that their efforts would need to be directed to three great objectives—enforcement, politics and education. There would need to be an executive secretary who could keep the Council informed at all times as to the condition of enforcement, both state and national. Still another executive secretary would be needed to organize the constituency and see that prohibition sentiment is translated into political action. But important as these things are, the chief need just now is education. The newspapers are spreading wet propaganda and giving to the wet cause an advertisement which could not be purchased with millions of dollars. Consecrated supporters of prohibition are beginning to waver in their support because they have been subjected so long to the influences of a wet press which gladly prints any misrepresentation appearing to aid the wet cause. Wherever facts are examined, prohibition is revealed as a distinct moral and social asset—

the only effective means ever devised for handling the liquor problem.

Dry supporters should know this. They can only know it through a great educational campaign, the details of which should be carried out under the supervision of an executive secretary in charge of education. Regardless of what else a unified command would set itself to do, it should above all else inaugurate a nation-wide campaign to tell the truth about prohibition and not allow the enemies of prohibition—many of whom constantly break the law—to convince the public that the law cannot be enforced.

A campaign of this sort would cost a great deal of money, but the money will come if prohibition supporters believe that it is being spent effectively. There is at least as much wealth behind the dry cause as there is behind the wet. Millions of humble men and women are also willing to do their bit by adding little amounts to the great amounts which within the next few years will have to be collected from wealth.

In all this effort the present dry organizations would play an even more effective part than they have in the past. The success of a project of this kind would depend almost wholly upon strengthening the present dry organizations with money and unified leadership. The influential Council would be able to bring into the treasury of the dry organizations more funds than they

had received in years. Once the friends of prohibition believe that really effective efforts are being made to meet and repulse the anti-prohibition attack, a new enthusiasm and hope will go through the dry ranks. The churches will open their doors again to dry organizations. Men and women of means will meet the appeal of the national leader and the Council for support of every variety. There would be nothing gained by adopting a policy which would disregard the present dry organizations and leave them without support. The greatest hope lies in their being given a new support. But this support should only be given to such organizations as will, both in letter and spirit, accept a unified command and follow it.

Prohibition is not being endangered so much by the unity of its enemies as by the division of its friends.

So much for the dry leadership. What about wet leadership? The Association Against the Prohibition Amendment is supported and directed by some of the richest and most able administrators in the country. John J. Raskob, the du Ponts, Arthur Curtiss James, General W. W. Atterbury, Edward S. Harkness, Henry H. Curran, and others of equal prominence are legions to be reckoned with. They have raised large sums of money in the past and very frankly state that they stand ready to raise even larger sums in the

future. Over half this money is given by seven of the richest men in the country, for whom even these large amounts are trifling. They know how to raise money and they know how to spend it. In 1926 they sent \$74,000 into Massachusetts to turn the election, and the report of expenditures, as subpoenaed by the Senate in its investigation, reveals some interesting items in contemporary political history:

\$2,000 to Charles S. Ashley for getting out the vote in New Bedford.

\$700 to Arthur A. Hendrick for getting out the vote in Brockton.

\$300 to William M. McCarthy for getting out the vote in Rockland. Etc. (1).

These reported expenditures take up about two and a half pages in the Lobby Investigation Report. It is not intimated just what these persons were paid for doing, but certainly they delivered the goods to the satisfaction of the Association Against the Prohibition Amendment. This organization was very active in the last election. Moreover, with plenty of money behind them now and an almost inexhaustible supply to draw from, they constitute the most serious opposition the dry cause has confronted since 1920—and in some ways the most serious in the entire temperance movement.

This organization is made up of people with

widely varied interests. They are united in their desire, however, to see the Amendment repealed. Some want it repealed because they believe such an article has no place in the Constitution. Others have financial interests at stake. In 1926 the Association prepared literature for rich men, calling their attention to the fact that a three-cent tax on each glass of beer—even according to the pre-war beer consumption—would raise over \$1,300,000,000, and thus make it possible for the government to do away with the corporation tax. Mr. Irenée du Pont, one of the heaviest contributors to the Association Against the Prohibition Amendment, is reported to have made the remark to Captain W. H. Stayton that if this could be done it would lift \$10,000,000 tax off one of his corporations (2).

Said Senator Caraway, when this was disclosed at the investigation:

In other words, he could shift, according to this statement, \$10,000,000 from his corporation onto the backs of the people who drank the beer. That would be his workingmen.

The public needs to remember that rich men are not paying out such large amounts of money with no thought of return. To be relieved of the corporation tax would be the greatest piece of good fortune that could come upon them. The

reduction of taxes may not be the object of all, but of some it undoubtedly is. Probably most of the large contributors are very much intrigued by the alluring possibility of being able to transfer the burden of taxation from the pocketbooks of the rich to the wages of the poor and the salaries of the middle class. The tax would, of course, be paid eventually by the wives and children of the drinkers, who would thus be denied many of the benefits they now enjoy in home and school.

It does not seem to be a very worthy motive, but the most casual reading of the Lobby Investigation Report leaves one quite convinced that the Association has played up this prospect to its rich contributors for all it's worth.

The Association has lately adopted the policy of refusing contributions from brewers and others engaged in the liquor business. However, in 1928 thirty-two brewers are said to have contributed amounts varying from \$200 to \$8,833.34 (3). Seven gave \$1,000, and five more gave sums in excess of this amount. Mr. Curran said before the Senate committee:

Mr. Fox (secretary of the United States Brewers' Association) and I are very good friends, and he is in great sympathy with our association (4).

These facts have been cited to show that in dealing with the Association Against the Prohibi-

tion Amendment the drys are confronted by men who are out to wreck prohibition, who have plenty of money for the campaign, who are on quite intimate terms with the representatives of outlawed liquor traffic, and who look upon repeal as the greatest scheme yet proposed for reducing income tax. Their connection with the press of the country is very intimate. A publicity office is maintained in the National Press Building at Washington, and news stories, prepared by experienced newspaper men, are sent to the leading metropolitan dailies. "Pretty nearly every paper takes them," declared Mr. Curran before the Senate Judiciary Committee. He named specifically "the Baltimore Sun, Washington Post, Washington Star, Washington Times, Philadelphia Ledger, Philadelphia Inquirer, the Wilmington Every Evening, the New York Times, Herald Tribune, World . . . The Evening Post, the Evening Sun . . ." (5).

There cannot be the least doubt that many metropolitan newspapers are perfectly willing to publish anything the Association sends them without their taking the trouble to investigate its accuracy.

The Association is not the only organization designed to influence public opinion against the Amendment. There are scores of others. The Crusaders, an organization of young people, is making great headway just at present in the

matter of raising money, enrolling members and spreading propaganda.

The dries will not be effective in their support of prohibition until they appraise very shrewdly the power of the opposition and its effect on public opinion.

The primary object of all wet organizations for the past two years has been to discredit the administration in power. They have been particularly anxious to discredit the President. Mr. Hoover was elected by the largest majority in recent years. He was very outspoken in his declarations that prohibition should be given a chance and that the law should be obeyed regardless of private opinion. His election constituted the most overwhelming referendum on the liquor question that has ever been held. Instinctively the wets seemed to realize that with Hoover in the White House their cause was lost unless they acted and acted quickly. Four or eight years of the vigorous enforcement of prohibition would so establish it in the favor of the people that repeal or modification would be out of the question. Mr. Hoover has encountered a series of unfortunate circumstances that would have embarrassed and hampered any President, and the wets have lost no opportunity to make capital of these. A whispering campaign, originated chiefly by those discontented with prohibition, has been carried on in all parts of the country. Although Mr. Hoover

is the first President in many years to have redeemed practically all his election pledges before his term was half over, and in spite of the masterful leadership he gave the nation at the time of the stock decline, there are many drys ready to echo the sentiments of the wets and help spread the dissatisfaction which the opponents of prohibition are so anxious will assume very serious proportions.

To be perfectly frank, Mr. Hoover is the greatest obstacle in the way of anti-prohibition schemes. The wets feel that at all cost he must be defeated. Prohibition is not a partisan issue. The Democrats had just as much to do with bringing about its adoption as the Republicans. In fact, the father of the Eighteenth Amendment, Senator Sheppard of Texas, is a Democrat. One of the strongest dry areas in the country is the solid Democratic South. But in spite of all this, pressure is being brought to bear upon the Democratic Party to nominate a wet candidate for President in 1932, and every attempt is also being made to induce the national Republican organization to turn wet. Until the election, the anti-prohibition element of both parties will lose no opportunity to discredit the administration now in power and particularly the President. Their greatest hope lies in defeating Mr. Hoover in 1932.

By the same token the drys' greatest hope lies in his reelection. In the first place he has instituted

the only really vigorous enforcement that prohibition has yet had. Colonel Amos W. W. Woodcock, Prohibition Director of the United States—a Hoover appointee—has transformed the whole spirit and motive of enforcement. There can be no doubt that through political influence many unworthy and corrupt men were appointed as prohibition agents during the early years of prohibition. Colonel Woodcock has largely purged the enforcement service in less than six months, and is engaged at present in training and disciplining a group of men of which the country within a few years is going to be very proud. He is a former United States Attorney, an army officer with a fine record, a man of unusual personality, and one who so seriously takes his oath of office that the public can rest assured that enforcement will every moment be prosecuted with the utmost vigor. It would be hard to find an official in whom ability, honesty of purpose and helpful personal qualities are more effectively combined than in Colonel Woodcock.

Between now and the spring of 1932 the wets will turn heaven and earth to have selected to the national conventions delegates who will vote to put a wet plank in the platform and prevent the nomination of a dry candidate. Unless the drys everywhere awake to the seriousness of the situation and the untiring efforts being made by anti-prohibition organizations to achieve these ends,

there will be trouble ahead, and very serious trouble within the next few years.

What the opponents of the Eighteenth Amendment want above all else is the election of a wet President in 1932. They hope also to impede the Federal government by the withdrawal of state support in enforcement and, if possible, to bring about a national referendum on the liquor issue.

In this latter project the dries would have everything to lose and nothing to gain. In the large cities such organizations as Tammany, the Philadelphia ring and the Chicago machine would so manipulate the returns that, no matter how many dry votes were cast, the wets would have such a stupendous majority that the dry country districts would be overwhelmed. It would be impossible to hold a square referendum with the outlawed liquor traffic fighting for its life; and the dries would simply be inviting disaster if they consented to the holding of a referendum. The country is no doubt about 70 per cent dry, as both Houses of Congress indicate, but no result such as that would ever be obtained with the criminal liquor interests and its allies—the corrupt politician and the gangster—manipulating the voting.

The proposed "Stop Alien" amendment would greatly aid the dry cause. The Constitution of the United States provides that "representatives shall be apportioned among the several states according to their respective numbers, counting the

whole number of persons in each state, excluding Indians not taxed." There are about 7,500,000 unnaturalized aliens in this country at the present time, having about 30 representatives in Congress, 30 representatives in the electoral college, and 60 delegates to each of the national conventions. These representatives are almost all opponents of prohibition. Not because of this fact, however, but because unnaturalized aliens have no right to be represented in our government, the resolution introduced by Senator Arthur Capper and Representative C. I. Sparks should undoubtedly be passed and submitted to the states. There can be no doubt that this would greatly aid the dry cause although it would not be passed primarily, and should not be passed primarily, for that reason.

In the road that lies ahead of prohibition the educational requirements are certainly as pressing as those of enforcement. Colonel Woodcock recently made a statement on this matter that will no doubt be very influential on future prohibition policy: "We must have enforcement," he said, "for the commercial violator; education for the non-commercial violator."

If all the people on the wet side were criminals and rascals, the problem would very quickly be solved. Vigorous enforcement and speedy justice would be the only requirements. But the wet side has enlisted many splendid upstanding citizens

who oppose prohibition because they disbelieve in it, and these can be convinced of the benefits of prohibition only by the presentation of facts. For ten years the drys have practically adjourned prohibition education. This is the first time in over a century that there has been the least let-up in educational efforts; and after all the reasons for the increased opposition to prohibition have been considered, this one stands out preeminently: *That for ten years the wets have been carrying on a most effective educational campaign, assisted chiefly by the newspapers, and during the same period there has been less educational activity on the part of the drys than at any time within the past generation.*

But this educational campaign upon which prohibition so seriously depends will need to be carried on, not only by the dry forces unified and re-organized under a new leadership; *we shall never have a dry nation until the Federal government also assumes responsibility for this education as part of the job of enforcement.* An educational campaign carried on by the different dry agencies would be only partially effective. It should be supported by an educational campaign which has behind it the authority and prestige of the national government.

This would not be dry propaganda. If the electorate puts a dry administration in office, it is with the inference that it expects that administration

to enforce the prohibition law. But one of the greatest handicaps now confronting the government is the public indifference to the requirements of all laws and the hostility of many who openly break this particular law. It is the duty of the government, if it would be successful in enforcing the law against the commercial violator, to lead the non-commercial violator to appreciate the danger to which he is exposing the country by having dealings with the criminal element and the extent to which a reasonable enforcement of this law benefits the nation morally, financially and socially. The supporters of prohibition need also to be reassured on this matter, for the administration in power must be able to rely upon the unwavering support of the voters who established the Amendment therein.

From every standpoint, therefore, the necessity of an educational program conceived and administered by the Bureau of Prohibition appears to be a pressing need just now. The government would not be starting a moral crusade. Its motive would be different from that of the dry organizations. Its chief interest in the matter would be the honest enforcement of a law passed by substantial majorities and meeting difficulties at present because its enemies defy it and many of its natural supporters do not sufficiently understand it. With nothing but the newspapers to enlighten them—and these newspapers gladly fill-

ing their columns with copy prepared in the offices of the different anti-prohibition organizations—the general public has very little opportunity to know the truth. Obedience to the law involves conviction and moral support. The department in charge of enforcement, therefore, should assume as a duty the education of the general public upon whose support the success of the law ultimately depends.

So far, these chapters have dealt but little with the spiritual dynamics behind the prohibition movement. This omission has not been due to any lack of appreciation of this force, but to the fact that the moral and spiritual aspects of the situation have so often been emphasized to the exclusion of many other aspects which the present writer has sought to disclose. In the last analysis, however, prohibition represents the never-ending struggle which goes on continually between things spiritual and things material. It holds that the fundamental human right to be well-born, decently reared, educated and protected is superior to any right based on convenience or appetite. It puts the rights of women and children above the rights of indulgent men. It maintains that complete sobriety is the only guarantee of safety in an industrial world. Above all, prohibition represents the conviction of the vast majority of our people that liquor is one of the chief sources of the world's suffering and evil and,

therefore, has no place in the life of a nation committed from its beginning to ideals of righteousness.

It is upon the church, the school and the home, therefore, that the success of prohibition depends even more than upon the government. A law is obeyed only to the extent to which the public wants it obeyed. In other words, law observance is a matter of morale; and in the cultivation of that morale the church, the school and the home play the most important parts.

The struggle, in the last analysis, is not just between the proponents and opponents of a specific measure dealing with the liquor evil. It is the struggle between old Europe and new America, between the demands of a machine age and the perennial desire for indulgence, between the right of the majority to rule and the attempt of a minority to defy the laws which the majority pass. In other words, we are confronting the same situation the nation has confronted on several serious occasions in her history, when groups of citizens and sections of the country have defied the mandates of government.

Prohibition is not on trial. It is free government and the Constitution which are on trial. The question we confront is whether laws passed by majorities have any authority, or whether they must be set aside when a determined and well-financed minority defiantly violates them.

Lincoln's statement on the last day of his life may well be pondered by every thinking American:

After reconstruction the next great question will be the overthrow and suppression of the legalized liquor traffic (6).

The Eighteenth Amendment overthrew the liquor traffic. The task of suppressing it still remains. And in order that the law may be vigorously enforced, patriotic men and women must be led to see that the prohibition of the manufacture and sale of liquor is alone consistent with the demands of the twentieth century and the spiritual aspirations of a great people.

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